

**Department of Legislative Services**  
 Maryland General Assembly  
 2005 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 916

(Senator Conway, *et al.*)

Judicial Proceedings

Environmental Matters

**Baltimore City Sheriff - Employees - Salaries**

This bill increases the minimum salary rate for deputy sheriffs in Baltimore City. The bill also requires the Chief Judge of the District Court to assess a surcharge for summary ejectment cases filed in Baltimore City and requires the revenue generated from the surcharge to be used to fund salary increases for the Baltimore City deputy sheriffs.

The bill takes effect July 1, 2005. Portions of this bill relating to the surcharges for summary ejectment cases terminate June 30, 2007.

**Fiscal Summary**

**State Effect:** State retirement expenditures would increase by \$119,200 in FY 2008. Future year expenditures reflect annual salary adjustments. Potential minimal increase in general fund expenditures for changes to District Court collection procedures. Revenues would not be affected.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	-	-	119,200	124,700	130,400
Net Effect	\$0	\$0	(\$119,200)	(\$124,700)	(\$130,400)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** Baltimore City expenditures would increase by \$332,500 in FY 2006 and by \$398,100 in FY 2010. Future year expenditures reflect annual salary adjustments to the State pay scale. Baltimore City revenues could increase by an estimated \$600,000 annually.

**Small Business Effect:** None.

## Analysis

**Bill Summary:** The bill increases the minimum salary rate for deputy sheriffs in Baltimore City from grade 12 to grade 14 of the State pay scale and sets the minimum salary rate for deputy sheriff sergeants and deputy sheriff lieutenants at grade 16 and grade 18, respectively.

The bill requires the Chief Judge of the District Court to assess an additional surcharge for summary ejectment cases filed in Baltimore City of no more than \$4 per case. The bill also requires the revenue generated from the surcharge on filing fees for summary ejectment cases in the Baltimore City District Court to be: (1) remitted quarterly to the Baltimore City Director of Finance; and (2) used to fund salary increases for the Baltimore City deputy sheriffs, deputy sheriff sergeants, and deputy sheriff lieutenants. The bill does not create a special fund for revenue generated by the surcharge.

**Current Law:** The minimum annual salary for a deputy sheriff in Baltimore City is grade 12 of the State employee pay scale. The salaries for deputy sheriff sergeants and deputy sheriff lieutenants are set by the Secretary of Budget and Management.

The annual salaries for deputy sheriffs in other jurisdictions are typically provided in the county budget as set by the governing body of the jurisdiction or by the Sheriff within the limits provided in the county budget.

**Background:** The Baltimore City Sheriff's Office is primarily responsible for serving civil processes, providing court security, and transporting prisoners. There are 95 deputy sheriffs in Baltimore City. Currently, 69 (17 vacant positions) deputy sheriffs perform operational and enforcement functions and 9 deputy sheriffs serve as command staff (5 as deputy sheriff sergeants and 4 as deputy sheriff lieutenants). Baltimore City advises that all deputy sheriffs would have their salaries increased pursuant to this legislation. However, deputy sheriffs performing operational and enforcement functions are already funded at grade 13.

There are approximately 150,000 summary ejectment cases filed in District Court in Baltimore City annually. All fine revenue generated in the District Court, with the exception of parking ticket fines, goes to the State's general fund. However, specified fees and surcharges may also be assessed to generate funds for other purposes. The current surcharge for a summary ejectment case in the District Court of Baltimore City is \$9, with \$5 allocated for the Maryland Legal Services Corporation Fund.

**State Fiscal Effect:** Deputy sheriffs in Baltimore City are members of the Law Enforcement Officers' Pension System (LEOPS) and the State is responsible for making contributions to their retirement. Retirement payments are based on the salary base in the

second prior year. Accordingly, retirement payments would not be affected until fiscal 2008. General fund expenditures would increase by \$119,176 in fiscal 2008 based on a 38.47% retirement contribution rate. Future year expenditures reflect retirement contributions based on salaries with 4.6% annual increases.

Additionally, general fund expenditures would increase to alter paperwork for the collection of the surcharge for summary ejection cases and adjustments to the District Court's accounting system and cash register procedures. However, any increase cannot be reliably estimated at this time.

**Local Expenditures:** In fiscal 2006, absent this bill, the 69 deputy sheriffs will receive a minimum salary of \$33,240 which is equal to grade 13, step 1 under the State employee pay scale. The five deputy sheriff sergeants will receive a minimum salary of approximately \$41,329 and the four deputy sheriff lieutenants will receive a minimum salary of approximately \$47,003. Current positions are filled at varying steps. **Exhibit 1** shows the grades and steps for the current deputy sheriffs.

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**Exhibit 1**  
**Current Salary Grades and Steps for Baltimore City Deputy Sheriffs**

<u>Number of Positions</u>	<u>Grade</u>	<u>Step</u>	<u>Salary</u>
25	13	1	\$33,240
2	13	2	34,484
1	13	3	35,776
12	13	4	37,118
5	13	5	38,517
1	13	6	39,243
1	13	7	39,984
5	13	8	40,742
5	13	10	42,300
12	13	12	43,102

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Increasing the minimum salary of deputy sheriffs in Baltimore City would increase city expenditures by \$269,737 for the operational and enforcement deputy sheriffs, by \$11,769 for the deputy sheriff sergeants, and by \$12,849 for the deputy sheriff lieutenants. It is assumed that the current sheriffs would receive an increase in both grade and step. It is also assumed that the 17 vacant operational and enforcement positions will be filled at base, for a total increase of \$38,174. These estimates include the salary increase and additional FICA contributions paid by the city.

Accordingly, Baltimore City expenditures would increase by \$332,529 in fiscal 2006 and by \$398,064 in fiscal 2010.

Deputy Sheriff	\$269,737
Deputy Sheriff Sergeant	12,849
Deputy Sheriff Lieutenant	11,769
Vacant Deputy Sheriffs	<u>38,174</u>
<b>Total Local Expenditures in FY 2006</b>	<b>\$332,529</b>

**Local Revenues:** There are approximately 150,000 summary ejectment cases filed in Baltimore City District Court annually. Assuming summary ejectment filings remain constant, Baltimore City revenues would increase by \$600,000 annually.

**Additional Comments:** Baltimore City advises that because the officers are currently at varying steps, its expenditure increase would be higher. However, after repeated requests for exact salary information, Baltimore City only provided exact salary information for the rank-and-file deputy sheriffs. Accordingly, the increases for the Deputy Sheriff Sergeants and Lieutenants are based on increases in base salary only.

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### Additional Information

**Prior Introductions:** SB 616 of 2004, a similar bill, was passed in the Senate and referred to the House Environmental Matters Committee. No further action was taken.

**Cross File:** While HB 1448 has been identified as a cross file, the bills are not identical.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - March 21, 2005  
ncs/hlb Revised - Senate Third Reader - April 7, 2005  
Revised - Correction - April 7, 2005  
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