

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 91 (Chairman, Budget and Taxation Committee)
 (By Request – Maryland Judicial Conference)

Budget and Taxation

Circuit Courts - Courtroom Security

This bill requires county sheriffs to provide security for each courtroom in the circuit court used for family law and juvenile law cases beginning July 1, 2007, and to the extent provided in the State budget. The bill also requires the State to reimburse counties for expenditures relating to these security services.

The bill takes effect July 1, 2007.

Fiscal Summary

State Effect: General fund expenditures could increase by \$9.1 million in FY 2008 and by \$9.3 million in FY 2011 to reimburse local jurisdictions for circuit court courtroom security in juvenile and family law cases.

(\$ in millions)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	9.1	8.1	8.5	8.9	9.3
Net Effect	(\$9.1)	(\$8.1)	(\$8.5)	(\$8.9)	(\$9.3)

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

Local Effect: Local expenditures could decrease by \$3.2 million in FY 2008 and by \$3.6 million in FY 2011 as a result of State reimbursement for salaries and fringe benefits for deputies currently assigned to circuit courtroom security in juvenile and family law cases.

Small Business Effect: None.

Analysis

Bill Summary: The bill provides that this State funding: (1) does not relieve counties or county sheriffs from their duty to provide security to circuit courts; (2) should not be construed as an assumption by the State of any liability incurred by the county for its circuit court security services; and (3) does not modify any existing duty or liability of the State or a county, other than what is specifically mentioned in the bill.

The bill requires counties, beginning in fiscal 2008 and in each subsequent fiscal year, to use savings resulting from State reimbursement towards increasing local expenditures for circuit court or related public safety purposes. The bill also requires that the savings must be used to supplement, not replace, existing local expenditures for these purposes.

Counties must report to the Department of Budget and Management (DBM) by November 1 in fiscal 2008 through 2015 on the application of savings resulting from the bill. DBM will then report the application of this funding to the Chief Judge of the Court of Appeals and the General Assembly.

Current Law: The State does not currently reimburse counties for circuit court security. Circuit court security standards and policies vary by jurisdiction.

Background: This legislation is proposed as part of the Judiciary's *Updated Circuit Courts Action Plan*. The plan discusses a multiyear phase-in of State funded circuit court security for family law and juvenile law cases, beginning in fiscal 2008 with the five largest jurisdictions (Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George's County), and expanding to the remaining 19 jurisdictions in fiscal 2009.

State Expenditures: Based on figures provided to the Judiciary by local jurisdictions, general fund expenditures could increase by an estimated \$9,076,650 in fiscal 2008, which accounts for the bill's July 1, 2007 effective date, as shown in **Exhibit 1**. This estimate reflects the cost of reimbursing counties for expenses incurred to provide security in circuit courts for all juvenile and family law cases. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. The information and assumptions used in calculating the estimate are stated below:

- future year salaries and fringe benefits will increase by 4.6% annually, to reflect variations in annual salary increases and inflation in benefits in each local jurisdiction;

- each new deputy requires \$9,934 (one-time cost) in new equipment, based on the estimate provided by Harford County (\$9,836 in fiscal 2007 plus 1% inflation for fiscal 2008); and
- deputies currently assigned part-time to the circuit courts who will be assigned to circuit court full-time as a result of this bill will not need new equipment.

Salaries and Fringe Benefits	\$8,149,808
Equipment for New Deputies	<u>926,842</u>
Total FY 2008 State Expenditures	\$9,076,650

Local Expenditures: Local expenditures could decrease by \$3,184,812 in fiscal 2008, due to the State’s reimbursement of salaries and fringe benefits for current deputies assigned to the circuit courts for juvenile and family law cases, as shown in **Exhibit 2**. Future year estimates reflect annual increases in salaries and fringe benefits of 4.6%.

Additional Information

Prior Introductions: None.

Cross File: HB 449 (Chairman, Appropriations Committee) (By Request – Maryland Judicial Conference) – Appropriations.

Information Source(s): Montgomery County, Prince George’s County, Harford County, Queen Anne’s County, Judiciary (Administrative Office of the Courts), Department of Budget and Management, Carroll County, Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2006
mll/jr Revised - Clarification - March 7, 2006

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Exhibit 1
Effect of State Reimbursement for Security in Circuit Courts for Security in Juvenile Law and Family Law Cases
Increased General Fund Expenditures
Fiscal 2007 - 2011

Jurisdiction	Total Number of Deputies Required	Equipment for New Deputies (Fiscal 2008)	Salary and Fringe Fiscal 2008*	Salary and Fringe Fiscal 2009	Salary and Fringe Fiscal 2010	Salary and Fringe Fiscal 2011
Allegany	2.0	\$9,934	\$106,928	\$111,847	\$116,992	\$122,374
Anne Arundel	16.0	129,142	904,280	945,876	989,387	1,034,899
Baltimore City	41.0	39,736	1,664,836	1,741,418	1,821,523	1,905,313
Baltimore	22.0	198,680	1,026,358	1,073,571	1,122,955	1,174,611
Calvert	2.0	9,934	91,357	95,559	99,955	104,553
Caroline	1.0	4,967	57,346	59,984	62,743	65,629
Carroll	4.0	39,736	251,040	262,588	274,667	287,302
Cecil	2.0	19,868	101,636	106,311	111,201	116,316
Charles	1.3	9,934	62,257	65,121	68,116	71,250
Dorchester**	1.0	4,967	49,720	52,007	54,399	56,901
Frederick	2.0	0	87,622	91,653	95,869	100,279
Garrett	1.0	6,954	54,537	57,046	59,670	62,415
Harford	3.0	19,868	112,023	117,177	122,567	128,205
Howard	3.0	29,802	163,922	171,462	179,349	187,600
Kent	2.0	9,934	105,018	109,849	114,902	120,188
Montgomery	30.0	218,548	1,784,764	1,866,863	1,952,738	2,042,564
Prince George's	13.0	99,340	722,921	756,175	790,959	827,343
Queen Anne's	2.4	3,974	98,776	103,320	108,072	113,044
St. Mary's	1.7	6,954	118,540	123,993	129,697	135,663
Somerset	1.0	0	41,840	43,765	45,778	47,884
Talbot	1.0	4,967	48,011	50,220	52,530	54,946
Washington	4.0	39,736	163,127	170,631	178,480	186,690
Wicomico	3.0	19,868	202,409	211,720	221,459	231,646
Worcester	3.0	0	130,541	136,546	142,827	149,397
Total	162.4	\$926,842	\$8,149,808	\$8,524,700	\$8,916,837	\$9,327,010
		Fiscal 2008 Total:	\$9,076,650			

Numbers may not sum due to rounding.

*Fiscal 2008 numbers are fiscal 2007 numbers provided to the Judiciary by local jurisdictions inflated by 4.6% to account for the effective date of the bill's provisions.

Equipment costs of \$9,934 per deputy. Costs based on Harford County estimate of \$9,836 per deputy in fiscal 2007 plus 1% inflation for fiscal 2008. Assume no equipment costs for part-time assignments converted to full time.

**Dorchester County did not respond to repeated requests for information by the Judiciary. The figure is an estimate based on courts of similar size.

Exhibit 2
Effect of State Reimbursement for Security in Juvenile Law and Family Law Cases
Decrease in Local Expenditures
Fiscal 2007 – 2011

Jurisdiction	Number of Current Deputies	Fiscal 2008*	Fiscal 2009	Fiscal 2010	Fiscal 2011
Allegany	1.0	\$53,464	\$55,924	\$58,496	\$61,187
Anne Arundel	3.0	169,552	177,352	185,510	194,043
Baltimore City	37.0	1,502,412	1,571,523	1,643,813	1,719,428
Baltimore	2.0	93,305	97,597	102,087	106,783
Calvert	1.0	45,679	47,780	49,978	52,277
Caroline	0.5	28,673	29,992	31,372	32,815
Carroll	0.0	0	0	0	0
Cecil	0.0	0	0	0	0
Charles	0.3	14,367	15,028	15,719	16,442
Dorchester***	0.5	24,860	26,003	27,199	28,451
Frederick	2.0	87,622	91,653	95,869	100,279
Garrett	0.3	16,361	17,114	17,901	18,725
Harford	1.0	37,341	39,059	40,856	42,735
Howard	0.0	0	0	0	0
Kent	1.0	52,509	54,925	57,451	60,094
Montgomery	8.0	475,938	497,832	520,732	544,685
Prince George's	3.0	166,829	174,503	182,530	190,926
Queen Anne's	2.0	82,314	86,100	90,061	94,204
St. Mary's	1.0	69,729	72,937	76,292	79,802
Somerset**	0.5	41,840	43,765	45,778	47,884
Talbot**	0.5	24,006	25,110	26,265	27,473
Washington	0.0	0	0	0	0
Wicomico	1.0	67,470	70,574	73,820	77,216
Worcester	3.0	130,541	136,546	142,827	149,397
Total	68.6	\$3,184,812	\$3,331,315	\$3,484,555	\$3,644,845

Numbers may not sum due to rounding.

*Fiscal 2008 numbers are fiscal 2007 numbers provided to the Judiciary by local jurisdictions inflated by 4.6% to account for the effective date of the bill's provisions.

**County indicated that it currently has 1 deputy assigned to the circuit court part-time and will need to assign the deputy full-time to comply with the bill. For purposes of calculations, part-time is listed as 0.5.

***Dorchester County did not respond to repeated requests for information by the Judiciary. The figure is an estimate based on courts of similar size.