

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 683 (Senator Hershey, *et al.*)
Education, Health, and Environmental Affairs

**General Assembly - Bills Altering Salaries of Elected Officials - Introduction
Deadline**

This bill requires that any bill which alters the salary of a State or local elected official in an election year, and takes effect at the beginning of the immediately following term of office, must be filed for introduction on or before the deadline established in statute for filing a certificate of candidacy for that office.

Fiscal Summary

State Effect: None. The change is procedural in nature and does not directly affect State governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background:

Certificates of Candidacy

In the year in which the Governor is elected, the deadline to file a certificate of candidacy is no later than 9 p.m. on the last Tuesday in February in the year in which the primary election will be held. For any other regularly scheduled election, a certificate of candidacy must be filed by 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

A certificate of candidacy for an office to be filled by a special election must be received and filed in the office of the appropriate election board by 5 p.m. on the Monday that is three weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

The certificate of candidacy for the election of a write-in candidate must be filed by the earlier of (1) seven days after a total expenditure of at least \$51 is made to promote the candidacy by a campaign finance entity of the candidate or (2) 5 p.m. on the seventh day preceding the start of early voting for which the certificate is filed.

Salaries

Article III, § 35 of the Maryland Constitution prohibits the salary or compensation of any public officer from being increased or diminished during the individual's term of office, except those whose full term is fixed by law in excess of four years.

The Governor's Salary Commission must submit salary recommendations for the Governor and Lieutenant Governor to the General Assembly within 10 calendar days after the beginning of the last regular General Assembly session in a four-year term of office. If an increase is recommended, a joint resolution incorporating the recommendations must be introduced in each House of the General Assembly by the fifteenth day of the session. The General Assembly may endorse or reduce the commission's proposals but may not increase the proposed salaries. Failure to adopt a joint resolution within 50 calendar days following its introduction results in adoption of the salaries recommended by the commission. The commission may also make recommendations, per the Governor's request, on salaries for four constitutional officers: State Treasurer, Comptroller of the Treasury, Attorney General, and Secretary of State.

The General Assembly Compensation Commission must submit salary and allowance compensation recommendations every four years by formal resolution within 15 days after the beginning of the last regular legislative session in a four-year term of office. The recommendations take effect automatically unless the General Assembly acts to decrease or reject particular items. The General Assembly may not increase the recommended salaries or other items in the resolution.

In some jurisdictions, the salaries for elected local officials, such as the State's Attorney and Sheriff, are specified in State statute.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Board of Elections; Department of Legislative Services

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