

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 341

(Caroline County Senators)

Judicial Proceedings

Environment and Transportation

Caroline County - State's Attorney and Sheriff - Salaries

This bill alters the annual salary of the State's Attorney for Caroline County and the Sheriff of Caroline County by establishing that (1) the salary of the State's Attorney is equal to 85% of the salary of a District Court judge and (2) the salary of the Sheriff is equal to 85% of the salary of the State's Attorney. Pursuant to constitutional requirements, the salary increases take effect at the beginning of the next terms of office.

Fiscal Summary

State Effect: None.

Local Effect: Caroline County expenditures increase by a minimum of \$12,400 in FY 2023 and \$21,300 annually thereafter. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Pursuant to statute, the Sheriff of Caroline County receives an annual salary that is equal to 80% of the annual salary of the State's Attorney for Caroline County. The Caroline County State's Attorney receives an annual salary that is equal to 80% of the annual salary of a District Court judge. The current (fiscal 2022) salary for a District Court judge is \$161,333. Accordingly, the current salary of the State's Attorney is \$129,066; the current salary of the Sheriff is \$103,253.

Article III, § 35 of the Maryland Constitution prohibits the salary or compensation of any public official from being increased or diminished during the individual's term of office,

except those whose full term is fixed by law more than four years. According to a letter from the counsel to the General Assembly, dated January 17, 1978, salary increases that are to be implemented over a period of time are permissible if implemented before the beginning of the term.

Local Expenditures: Caroline County expenditures increase by a minimum of \$12,470 in fiscal 2023 and by a minimum of \$21,377 annually thereafter. This estimate (1) is based on the current salary for a District Court judge; (2) assumes the next term of office begins December 2022; and (3) does not include fringe benefits. The Department of Legislative Services notes, however, that joint resolutions to increase judicial salaries over fiscal 2023 to 2026 have been introduced in both the House and the Senate, pursuant to the statutory requirements regarding the Judicial Compensation Commission. To the extent that judicial salaries are increased as a result of the resolutions, Caroline County expenditures likewise increase.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 620 (Delegates Ghrist and Jacobs) - Environment and Transportation.

Information Source(s): Caroline County; Judiciary (Administrative Office of the Courts); Maryland State's Attorneys' Association; Department of Legislative Services

Fiscal Note History: First Reader - February 2, 2022
fnu2/jkb Third Reader - February 22, 2022

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