

**Department of Legislative Services**

Maryland General Assembly

2022 Session

**FISCAL AND POLICY NOTE**

**Third Reader**

House Bill 873

(Washington County Delegation)

Environment and Transportation

Judicial Proceedings

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**Washington County - Sheriff's Salary - Alteration**

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This bill establishes that the salary of the Washington County Sheriff is equal to 90% of the salary of the State's Attorney of Washington County. The bill also repeals the requirement for the Washington County Salary Study Commission to study and issue a report that contains recommendations relating to the salary of the county sheriff. Pursuant to constitutional requirements, the salary increase takes effect at the beginning of the next term of office.

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Washington County expenditures increase by a *minimum* of \$12,000 in FY 2023 and \$20,600 annually thereafter. Local revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Pursuant to statute, the Sheriff of Washington County receives an annual salary that is equal to the greater of (1) \$100,000 or (2) the salary set by the county commissioners under Title 28, Subtitle 2 of the Local Government Article (provisions relating to the Washington County Salary Study Commission). The Washington County Salary Study Commission is charged with studying the salaries of specified public officials in the county (including the sheriff) and making recommendations to the county commissioners for review and consideration. Within 60 days after receiving the

recommendations of the commission, the county commissioners may accept, reduce, or reject the salary recommendations, but may not increase them. The salary of the Washington County State's Attorney is equal to 90% of the salary of a judge of the District Court.

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 in excess of 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:** Washington County expenditures increase by a minimum of \$12,000 in fiscal 2023 and by a minimum of \$20,600 annually thereafter. This estimate (1) is based on the current salary of a District Court Judge (\$161,333) and the sheriff (\$110,000); (2) assumes the next term of office begin December 2022; and (3) does not include fringe benefits. Expenditures increase in future years to the extent that judicial salaries further increase, thereby correspondingly increasing the salary of the State's Attorney and the Sheriff.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Washington County; Department of Legislative Services

**Fiscal Note History:** First Reader - March 14, 2022  
fnu2/jkb Third Reader - March 21, 2022

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Analysis by: Valarie Munroe

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510