

Department of Legislative Services
 Maryland General Assembly
 2022 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 74

(Senator Jackson)

Judicial Proceedings

Judiciary

Circuit Court Clerks - Salary Increase

This bill increases the maximum annual salary that the Board of Public Works (BPW) may set for the clerk of each circuit court from \$124,500 to \$146,500. **Pursuant to constitutional requirements, the salary increase takes effect at the beginning of the next term of office.**

Fiscal Summary

State Effect: General fund expenditures increase by \$719,400 in FY 2023 due to the impact of salary increases that take effect on December 1, 2022. Future year expenditures reflect annualization. The proposed FY 2023 budget includes approximately \$553,900 for salary increases. Revenues are not affected.

| (\$ in millions) | FY 2023 | FY 2024 | FY 2025 | FY 2026 | FY 2027 |
|------------------|---------|---------|---------|---------|---------|
| Revenues | \$0 | \$0 | \$0 | \$0 | \$0 |
| GF Expenditure | 0.7 | 1.2 | 1.2 | 1.2 | 1.2 |
| Net Effect | (\$0.7) | (\$1.2) | (\$1.2) | (\$1.2) | (\$1.2) |

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The clerk of each circuit court is entitled to receive an annual salary of no more than \$124,500. While the permissible range of salaries is set by statute, BPW

determines the annual salary of each clerk on the basis of the relative volume of business and receipts in the clerk's office.

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. Clerks are elected to four-year terms.

State Expenditures: General fund expenditures increase by \$719,389 in fiscal 2023, which accounts for clerks beginning the next term on December 1, 2022, and by approximately \$1.2 million annually thereafter. This analysis, which accounts for fringe benefits, assumes that BPW increases to \$146,500 the salaries of the clerks who earn the current maximum of \$124,500, and increases the salaries of the other clerks by the same dollar amount (\$22,000). The Judiciary further advises that salaries for deputy clerks of the circuit court are set at 80% of the clerk of court's salary; accordingly, this estimate also accounts for the impact of a salary increase of \$17,600 for each deputy clerk. The proposed fiscal 2023 budget includes approximately \$553,900 for salary increases.

Additional Information

Prior Introductions: None.

Cross File: HB 519 (Delegates Williams and Crutchfield) - Judiciary.

Information Source(s): Maryland Association of Counties; Judiciary (Administrative Office of the Courts); Board of Public Works; Department of Legislative Services

Fiscal Note History: First Reader - January 23, 2022
rh/jkb Third Reader - February 25, 2022

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