

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1456

(Dorchester County Delegation)

Judiciary

Rules

**Dorchester County - Orphans' Court - Salary and Expense Allowance of
Orphans' Court Judges**

This bill increases the annual salary and expense allowance of an orphans' court judge for Dorchester County. Pursuant to constitutional requirements, the increases take effect at the beginning of the next terms of office.

Fiscal Summary

State Effect: None.

Local Effect: Dorchester County expenditures increase by a minimum of \$2,600 in FY 2023 and by a minimum of \$4,500 annually thereafter. County revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Pursuant to statute, each of the three orphans' court judges for Dorchester County receives an annual salary as determined by the county council; the salary must be at least \$4,700. The bill increases this amount to a minimum of \$6,000. The bill also increases, from a minimum of \$800 to a minimum of \$1,000, the annual expense allowance for each judge as determined by the county council.

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: Dorchester County expenditures increase by a minimum of \$2,625 in fiscal 2023 and by a minimum of \$4,500 annually thereafter. This estimate (1) assumes the *current* annual compensation for each orphan's court judge is the minimum amount set in statute (\$4,700 salary and \$800 expense allowance); (2) assumes the next terms of office begin December 2022; and (3) does not include fringe benefits.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 988 (Senator Eckardt)(By Request - Dorchester County Council) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2022
fnu2/jkb Third Reader - April 12, 2022

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