

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 713 (Frederick County Delegation)
Environment and Transportation

Frederick County - Sheriff - Salary

This bill alters the annual salary of the Frederick County Sheriff by establishing that the salary is equal to the salary of a lieutenant colonel of the Department of State Police (DSP), at the highest available step that is in effect on the day prior to the day that the sheriff begins a term of office. Any change in DSP's salary schedule during a term of office may not apply to the incumbent sheriff, but the changed rate takes effect at the beginning of the next term. Pursuant to constitutional requirements, the salary structure specified in the bill takes effect at the beginning of the next term of office.

Fiscal Summary

State Effect: None.

Local Effect: Frederick County expenditures increase by a *minimum* of \$58,500 in FY 2027 and \$100,300 annually thereafter. County revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: The current salary of the Frederick County Sheriff is \$125,000.

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. 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: Frederick County expenditures increase by a minimum of \$58,500 in fiscal 2027 and by a minimum of \$100,300 annually thereafter. Pursuant to constitutional requirements, the salary is not altered until the next term of office. This estimate (1) is based on the current salary for a lieutenant colonel of DSP at Step 18 (\$202,199); (2) assumes the next term of office begins December 2026; and (3) includes fringe benefits as provided by the county. Expenditures increase beyond the estimate shown to the extent that there is an adjustment to the DSP salary schedule that further increases the salary for a lieutenant colonel, thereby correspondingly increasing the salary of the county's Sheriff.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 462 (Senator Folden, *et al.*) - Judicial Proceedings.

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

Fiscal Note History: First Reader - February 22, 2023
md/jkb

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