

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 707

(Chair, Judicial Proceedings Committee)(By Request -
Departmental - State Police)

Judicial Proceedings

Appropriations

Public Safety - Deputy State Fire Marshal - Probationary Status and Promotion

This departmental bill requires each deputy State fire marshal, including an individual who is appointed to the Office of the State Fire Marshal (OSFM) for training before regular assignment as a deputy State fire marshal, to remain in probationary status for a period of two years after the date of appointment to OSFM. In addition, the bill specifies that, on promotion, a deputy State fire marshal is entitled to the pay specified for the new rank in the same step that the deputy State fire marshal occupied before promotion; however, if the step that the deputy State fire marshal occupied before promotion is higher than that held by a deputy State fire marshal who is already in the rank and has equal or higher total service time, on promotion, the deputy State fire marshal is entitled only to the pay specified for the new rank in the next lower step than the deputy State fire marshal occupied before promotion.

Fiscal Summary

State Effect: None. The bill codifies existing practice.

Local Effect: None.

Small Business Effect: The Department of State Police (DSP) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: Each police employee, including an individual who is appointed to DSP for training before regular assignment as a police employee, must remain in probationary status for a period of two years after the date of appointment to the department. Each civilian employee must remain in probationary status for six months.

The Secretary must develop a pay plan for police employees, DSP communications operators, and DSP communications supervisors that includes the ranks and the grades within ranks that the Secretary considers appropriate. The pay plan is subject to approval by the Secretary of Budget and Management and is effective on approval by the Governor only to the extent that sufficient money is included in the State budget. Each police employee, DSP communications operator, and DSP communications supervisor is entitled to receive the pay rate, including any increment based on length of service, set forth in the pay plan established by the Secretary.

Each police employee is entitled to the pay rate for the next highest step within the police employee's rank on (1) each July 1, if the police employee was a police employee on July 1, 1967, or (2) each anniversary of the date of employment, for all other police employees. On promotion, a police employee is entitled to the pay specified for the new rank in the same step that the police employee occupied before promotion; however, if the step that the police employee occupied before promotion is higher than that held by a police employee who is already in the rank and has equal or higher total service time, on promotion, the police employee is entitled only to the pay specified for the new rank in the next lower step than the police employee occupied before promotion.

Background: DSP advises that the mandatory training for deputy State fire marshals exceeds the current six-month probationary period applicable to civilian employees of the department. The two-year probationary period is consistent with current standards for police employees within DSP and ensures adequate time for evaluation and completion of the basic, field, and technical core training to perform the job functions of a police employee appointed to OSFM. DSP reports that deputy State fire marshals have been treated the same as police employees within the department with regards to the probationary period, pay plan, and pay after promotion. This bill codifies the existing practice.

Additional Information

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

Designated Cross File: None.

Information Source(s): Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - February 15, 2023
km/lgc Third Reader - March 14, 2023

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Public Safety – Deputy State Fire Marshal – Probationary Status and Promotion

BILL NUMBER: SB707

PREPARED BY: Department of State Police

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

 XX WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

 WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS