

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 343 (Senator Sydnor)
 Judicial Proceedings

State's Attorneys - Reconstitution of Task Force and Establishment of Case Management System Grant Fund

This bill establishes the State’s Attorney Case Management System Grant Fund to provide grants to State’s Attorneys’ offices to establish or improve case management systems. The Executive Director of the Governor’s Office of Crime Prevention and Policy (GOCPP) must administer the fund. The bill also reestablishes the Task Force to Study Transparency Standards for State’s Attorneys created under Chapter 141 of 2022. By December 31, 2025, and annually thereafter, the task force must report its findings and recommendations to the Senate Judicial Proceedings Committee and the House Judiciary Committee. **The bill’s provisions related to the task force terminate June 30, 2028. The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: General fund expenditures increase by an estimated \$500,000 annually in FY 2026 through 2028 to capitalize the fund, with potential ongoing capitalization costs beyond FY 2028, as discussed below. Special fund revenues to and expenditures from the fund increase correspondingly each year. General fund expenditures further increase by \$82,415 in FY 2026 for administrative costs; future year administrative costs reflect inflation and ongoing costs. General fund revenues increase minimally from interest earnings of the new special fund through FY 2028 (not reflected below).

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
SF Revenue	\$500,000	\$500,000	\$500,000	-	-
GF Expenditure	\$582,400	\$565,500	\$568,300	-	-
SF Expenditure	\$500,000	\$500,000	\$500,000	-	-
Net Effect	(\$582,400)	(\$565,500)	(\$568,300)	(-)	(-)

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

Local Effect: Local grant revenues and corresponding expenditures for State’s Attorneys’ offices increase in total by an estimated \$500,000 annually in FY 2026 through 2028, with potential ongoing effects beyond FY 2028.

Small Business Effect: None.

Analysis

Bill Summary:

State's Attorney Case Management System Grant Fund

The State's Attorney Case Management System Grant Fund is a special, nonlapsing fund that consists of money appropriated in the State budget to the fund, interest earnings of the fund, and any other money accepted from any other source accepted for the benefit of the fund. Expenditures from the fund may only be made in accordance with the State budget, and the fund may only be used to provide grants to State's Attorneys' offices to establish or improve case management systems. The accounts and transactions of the fund are subject to audit by the Legislative Auditor, as specified.

The Executive Director of GOCPP must (1) establish procedures for State's Attorneys' offices to apply for and receive grants from the fund; (2) solicit grant proposals from State's Attorneys' offices; and (3) make grants from the fund to State's Attorneys' offices for the establishment or improvement of case management systems.

A State's Attorney's office that applies for grant funding must provide the executive director with a description of the case management system that the office seeks to establish or the improvements the office seeks to make to an existing system, along with any other information the executive director considers necessary. A State's Attorney's office that receives a grant must submit proof of the expenditure of the grant funds to the executive director.

Money distributed pursuant to the bill must be used to supplement and not supplant any other funding for the establishment or improvement of a case management system.

Task Force to Study Transparency Standards for State's Attorneys

The bill (1) reestablishes the task force (and expresses the intent of the General Assembly for the Governor to appoint the individuals appointed to the predecessor task force); (2) adds additional members; (3) requires the task force to submit an annual report, due by December 31 each year; and (4) requires the Department of Legislative Services (DLS) to staff the task force.

A member of the task force may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

Current Law:

Office of the State's Attorney

Under § 15-302 of the Criminal Procedure Article, the State's Attorneys' Coordinator, with the approval of the State's Attorneys' Coordination Council, must (1) establish and implement uniform reporting procedures for State's Attorneys and professional staffs of State's Attorneys to maintain and provide statistical data and information relating to prosecutorial functions and standards of the office of State's Attorney and (2) accept and expend funds, grants, and gifts, and accept services from public or private sources.

Task Force to Study Transparency Standards for State's Attorneys

Chapter 141 established the Task Force to Study Transparency Standards for State's Attorneys, staffed by DLS. The task force must study the possibility of establishing minimum transparency standards for State's Attorneys. In conducting its study, the task force must (1) develop processes by which prosecutors can collect information and determine what information should be made public and what information may be kept private and (2) examine any existing policies of State's Attorneys' offices across the State relating to the transparency of data, the charging of crimes, and sentencing. The task force was required to report its findings and recommendations to the Senate Judicial Proceedings Committee and the House Judiciary Committee by December 31, 2023. In its report, the task force recommended statewide uniform data collection for State's Attorneys' offices with specified data points.

Also, the task force recommended a State-funded grant program to assist State's Attorneys' offices to establish or enhance case management systems to facilitate data collection and sharing between State's Attorneys' offices, and other entities. The task force's December 2023 report can be found [here](#). The task force terminated June 30, 2024.

State Fiscal Effect:

State's Attorney's Office Case Automation System Enhancement Grant Program

The fiscal 2025 budget appropriated \$500,000 in general funds to GOCPP for the purpose of providing grants to State's Attorneys' offices to establish or improve automated case management systems to collect the data points set forth in the task force's report. Commencement of awards begin March 1, 2025, and end on June 30, 2025. Funds not expended by June 30, 2025, may not be transferred to any other purpose and must revert to the general fund. However, GOCPP anticipates exhausting the \$500,000 appropriated in fiscal 2025.

Capitalization of the New Special Fund and Grants to State’s Attorneys’ Offices

Consistent with the level of funding provided for fiscal 2025, general fund expenditures are assumed to increase by an estimated \$500,000 annually from fiscal 2026 through 2028 to capitalize the State’s Attorney Case Management System Grant Fund created under the bill. Although the bill does not establish a mandated appropriation for the fund, this estimate assumes that \$500,000 annually is needed – for the first three years – to continue to provide sufficient grants to State’s Attorney’s offices to establish and/or improve their case management systems in accordance with the bill. Ongoing capitalization needs are possible, but this analysis does not reflect a specific funding amount after fiscal 2028.

Special fund revenues to and expenditures from the fund increase correspondingly each year, reflecting receipt of the capitalization funds and spending from the fund as grants are awarded to State’s Attorney’s offices. This analysis does not reflect any additional special fund revenues that may accrue to the fund from investment earnings (after fiscal 2028) or from other sources.

Although the bill indicates that interest earnings of the new special fund remain in the fund, the bill does not amend § 8 of Chapter 717 of 2024 (the Budget Reconciliation and Financing Act of 2024), which requires, notwithstanding any other provision of law, that interest earnings from special funds (with certain exceptions) accrue to the general fund from fiscal 2024 through 2028. Thus, general fund revenues increase minimally from interest earnings of the new special fund through fiscal 2028. The fund is exempted from a similar requirement under § 6-226(a)(2) of the State Finance and Procurement Article that applies from fiscal 2029 forward.

Administrative Costs for the Governor’s Office of Crime Prevention and Policy

The bill does not authorize the new special fund to be used to pay GOCPP’s administrative costs; thus, additional general funds are needed. Although existing staff are administering grants for the funds received in fiscal 2025, GOCCP indicates that continued handling of the grant program under the bill requires hiring additional part-time personnel. Thus, general fund expenditures increase by an additional \$82,415 in fiscal 2026. This estimate reflects the cost of hiring one part-time contractual grant specialist and one part-time contractual fiscal officer to review and process grant applications, solicit proposals, and make grant awards to State’s Attorneys’ offices. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Part-time Contractual Positions (0.5 FTE)	2.0
Salaries and Fringe Benefits	\$68,230
Operating Expenses	<u>14,185</u>
Total FY 2026 Admin. Expenditures	\$82,415

Future year administrative expenditures reflect salaries with annual increases and employee turnover as well as ongoing operating expenses. While this analysis assumes that the contractual employees continue through fiscal 2030, to the extent the demand for grants decreases at some point in the future, the contractual employees may no longer be needed.

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State's implementation of the federal Patient Protection and Affordable Care Act.

Other Effects

The Office of Legislative Audits can audit the new special fund with existing budgeted resources, and DLS can continue to staff the task force using existing budgeted resources. Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing resources.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 617 of 2024.

Designated Cross File: None.

Information Source(s): Carroll, Frederick, Garrett, Montgomery, Talbot, Queen Anne's, and Washington counties; Maryland Association of Counties; Governor's Office of Crime Prevention and Policy; Maryland State's Attorneys' Association; Department of Legislative Services – Office of Legislative Audits; Department of Legislative Services

Fiscal Note History: First Reader - January 30, 2025
caw/jkb

Analysis by: Joanne E. Tetlow

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