

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 789

(Chair, Judiciary Committee)(By Request - Maryland
Judiciary)

Judiciary

Courtroom Security - Minimum Adequate Security Standard

This bill establishes a minimum adequate security standard for courtroom security at all courthouse facilities in the State. Certain standards are applicable beginning July 1, 2026, with additional standards beginning July 1, 2028. The bill requires a court security officer to meet the qualifications for a special police officer, as defined in § 3-301 of the Public Safety Article. By September 30, 2025, specified entities must submit a report to the Chief Justice of the Supreme Court of Maryland and the General Assembly identifying related information regarding the implementation of the security standards. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: The Judiciary can comply with the bill's requirements using existing budgeted resources. The bill does not otherwise directly impact State finances, as discussed below.

Local Effect: Local government expenditures increase significantly beginning in FY 2026 for sheriffs' offices to hire additional staff to meet the bill's requirements, as discussed below. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: Beginning July 1, 2026, there must be present in every courtroom during proceedings at least:

- one court security officer for any *criminal, family, or juvenile* proceeding;
- two court security officers for any proceeding involving an incarcerated individual or an individual who may be remanded to custody as a result of the proceeding; and
- one additional court security officer for every four or fewer courtrooms on each floor of the courthouse.

Beginning July 1, 2028, there must be present in every courthouse during proceedings at least:

- one court security officer for *any* proceeding;
- two court security officers for any proceeding involving an incarcerated individual or an individual who may be remanded to custody as a result of the proceeding; and
- one additional court security officer for every four or fewer courtrooms on each floor of the courthouse.

Report Requirements

By September 30, 2025, each law enforcement agency, department, or entity providing security at a courthouse facility must submit a report to the Chief Justice of the Supreme Court of Maryland and the General Assembly identifying:

- the current number of court security officers available to provide courthouse security;
- the minimum number of court security officers necessary to meet the minimum adequate security standards, accounting for annual leave and absences;
- the current number of courthouse security positions for which funding has been allocated;
- the current number of vacancies in the agency, department, or entity;
- a viable plan to meet the minimum adequate security standards under the bill; and
- any obstacles to the agency, department, or entity meeting those minimum adequate security standards.

Current Law/Background: There are no minimum adequate security standards for courtroom security specified in statute. Generally, security for the appellate courts and the District Court is funded by the State. The security for circuit courts (and the orphans'

courts) is funded by county budgets and provided by the sheriffs' offices in each county and Baltimore City.

Chapters 414 and 415 of 2024 (Judge Andrew F. Wilkinson Judicial Security Act) created the Task Force to Ensure the Safety of Judicial Facilities, staffed by the Administrative Office of the Courts, to, among other things, identify (1) minimum requirements for courthouse safety, including the minimum number of security officers to be present in each type of judicial proceeding in a circuit court or in the District Court and (2) minimum qualifications for security officers. Also, the task force was required to develop a legislative proposal to ensure that the minimum standards are met.

In December 2024, the task force issued its [report](#), which, among other things, recommended minimum adequate security standards for courtrooms in the State and qualifications for court security officers; the prescribed staffing standards in the bill align with the task force's recommendations.

State and Local Expenditures: As noted above, the Judiciary is responsible for the security of the Supreme Court of Maryland, the Appellate Court of Maryland, and the District Court of Maryland. The Judiciary advises that it has sufficient staffing levels to implement the bill's requirements for these courts and did not otherwise note any impact on State finances.

Local expenditures, however, increase *significantly* beginning in fiscal 2026 for sheriff's offices to hire additional staff in order to prepare for the minimum adequate security standards under the bill that first become effective July 1, 2026 (fiscal 2027). According to information included in the task force's report, more than half of the circuit courts, including all of the four largest jurisdictions, are not currently meeting the minimum adequate security standards established by the bill. A precise estimate of total expenditures for all jurisdictions to attain sufficient levels of staffing as required in the bill is not available; the Department of Legislative Services (DLS) notes that provisions in the bill require law enforcement agencies (or similar entities) to submit specified information to the Chief Justice of the Supreme Court of Maryland, including the minimum number of officers necessary to meet the standards, as further specified. For context, the task force's report anticipated funding in excess of \$34.0 million was potentially needed.

Based on responses from eight counties to a request for information on the fiscal impact of the bill, DLS advises that while some counties reported minimal needs to comply with the bill's requirements (*e.g.*, Garrett and Harford counties), others anticipated significant expenditures. For example, Prince George's County indicates the need for 47 additional deputy sheriffs at an estimated annual cost of approximately \$10.0 million. The Maryland Association of Counties generally advises that the bill has a significant impact on local governments.

As noted above, local jurisdictions are responsible for providing (and funding) circuit court security through the sheriffs' offices, thus, this analysis reflects only local expenditures for this purpose. DLS notes that, in recognition of the significant expenditures likely to be incurred by local jurisdictions to implement the minimum adequate security standards, the aforementioned task force report included significant discussion regarding the possibility of providing some State funding to assist local jurisdictions in hiring court security officers. As this is not a requirement of the bill, any such impact is not assumed in this analysis.

Additional Information

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

Designated Cross File: SB 621 (Chair, Judicial Proceedings Committee)(By Request - Maryland Judiciary) - Judicial Proceedings.

Information Source(s): Baltimore, Frederick, Garrett, Harford, Howard, Montgomery, Prince George's, and St. Mary's counties; Maryland Association of Counties; Judiciary (Administrative Office of the Courts); Department of Legislative Services

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