

Department of Legislative Services

Maryland General Assembly

2026 Session

FISCAL AND POLICY NOTE

First Reader

House Bill 165

(Delegate Bouchat)

Judiciary

Courts - Sheriffs' Salaries - Alterations

This bill alters the annual salary of the Sheriff in numerous counties to be equivalent to that of the State's Attorney in the respective county. Pursuant to constitutional requirements, the salary structure specified in the bill takes effect at the beginning of the next terms of office.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: Expenditures for most counties affected by the bill likely increase by varying amounts annually beginning in FY 2027. No effect on local revenues.

Small Business Effect: None.

Analysis

Current Law: The salaries of county Sheriffs are generally addressed in Title 2, Subtitle 3 of the Courts and Judicial Proceedings Article, while salaries for State's Attorneys are generally addressed in Title 15, Subtitle 4 of the Criminal Procedure Article. For some jurisdictions, a salary amount is explicitly stated; for others, the salary amount indicated in statute is not explicitly stated but instead correlates to that of another State or local official (*e.g.*, a certain percentage of the salary of a District Court judge or equivalent to the salary of a lieutenant colonel in the Department of State Police at a certain grade/step). Statutory provisions relevant to other jurisdictions only broadly indicate the method by which a salary is to be determined (*e.g.*, a salary as set by the local jurisdiction).

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: Local expenditures generally are assumed to increase by varying amounts annually beginning in fiscal 2027, once new terms of office begin. **Exhibit 1** reflects the current salaries for Sheriffs in the counties affected by the bill, as well as the current salaries for the State’s Attorneys in the respective counties. Under the bill, the salary for a Sheriff in one of the affected jurisdictions is to equal the salary of the local State’s Attorney. As illustrated in Exhibit 1, *based on current salary levels*, this is assumed to result in a higher salary for the Sheriff in most jurisdictions, thereby increasing salary expenditures. The Department of Legislative Services notes that in many instances, future salary amounts depend on action taken by the General Assembly regarding judicial salaries (as referenced above, in many jurisdictions, the salary of the State’s Attorney is equivalent to a certain percentage of the salary of a District or circuit court judge). Legislation to increase judicial salaries has been introduced this session (Senate Joint Resolution 2/ House Joint Resolution 6) based on recommendations proposed by the Judicial Compensation Commission; however, because the General Assembly has the authority to further amend the resolution, as specified in statute, judicial salaries for the next four years cannot be reliably predicted in advance. Additionally, some jurisdictions that locally set salaries for impacted officials have already established a salary structure for upcoming terms of office. For example, Wicomico County advises it has already passed a resolution to increase the salary of the Sheriff over the next four-year term. Accordingly, the information presented in Exhibit 1 is for context only and not indicative of future salary expenditure impacts in each jurisdiction.

Exhibit 1
Current Salaries of Sheriffs and State’s Attorneys

<u>County</u>	<u>Sheriff</u>	<u>State’s Attorney</u>
Allegany	\$100,000	\$181,200
Calvert	189,526	214,433
Caroline	145,463	171,133
Carroll	191,078	201,333
Cecil	150,000	191,266
Dorchester	128,853	161,066
Frederick	125,000	234,993
Garrett	128,853	161,066

<u>County</u>	<u>Sheriff</u>	<u>State's Attorney</u>
Harford	\$202,199	\$201,333
Kent	128,853	161,066
St. Mary's	189,526	214,433
Somerset*	85,000	161,066
Talbot	139,373	161,066
Washington	163,080	181,200
Wicomico	117,000	181,200
Worcester	101,192	181,200

* Somerset County reports an annual salary of \$85,000 for the Sheriff; however, the Department of Legislative Services notes that § 2-333 of the Courts and Judicial Proceedings Article indicates that the salary is to be no less than \$105,000.

Source: Department of Legislative Services

Additional Information

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

Designated Cross File: None.

Information Source(s): Calvert, Carroll, Cecil, Dorchester, Frederick, Garrett, Harford, Kent, St. Mary's, Somerset, Talbot, Washington, Wicomico, and Worcester counties; Department of Legislative Services

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sj/jkb

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