

Department of Legislative Services
 Maryland General Assembly
 2021 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 882
 Judiciary

(Delegate Barron)

Judicial Proceedings

Workgroup to Study Partial Expungement

This emergency bill makes several alterations to the Partial Expungement Workgroup, which was established pursuant to Section 3 of Chapter 31 of 2021. These changes include (1) renaming the workgroup as the Workgroup to Study Partial Expungement; (2) altering the composition of the workgroup; (3) changing the method of selection for the chair of the workgroup; (4) modifying the workgroup’s reporting deadline; and (5) altering the termination date of the workgroup. Under the bill, the workgroup must report its plan and legislative recommendations to the General Assembly by January 5, 2022. **As a result of the bill, Section 3 of Chapter 31 terminates June 30, 2022.**

Fiscal Summary

State Effect: General fund expenditures increase by \$9,800 in FY 2021 and by \$13,000 in FY 2022. Any expense reimbursements for workgroup members as a result of the bill are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	9,800	13,000	0	0	0
Net Effect	(\$9,800)	(\$13,000)	\$0	\$0	\$0

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

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Chapter 31 of 2021 (House Bill 1336 of 2020) was the subject of a veto override and went into effect March 14, 2021. Section 3 of Chapter 31 establishes the Partial Expungement Workgroup, to be staffed by the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS). The bill renames the workgroup as the Workgroup to Study Partial Expungement. Pursuant to Section 3 of Chapter 31, a member of the workgroup may not receive compensation but is entitled to reimbursement for expenses under the standard State travel regulations.

Section 3 of Chapter 31 establishes the workgroup’s membership. The bill (1) specifies that the representative of the Administrative Office of the Courts must be appointed to the workgroup by the Chief Judge of the Court of Appeals and (2) adds as a workgroup member one representative of the Job Opportunities Task Force, to be appointed by the Governor. Under Section 3 of Chapter 31, the workgroup must designate the chair of the workgroup. The bill requires that the workgroup elect a chair from among its members.

Section 3 of Chapter 31 contains a January 5, 2021 reporting deadline and terminates June 30, 2021. The bill alters the reporting deadline to January 5, 2022, and establishes a termination date of June 30, 2022.

State Fiscal Effect: General fund expenditures for GOCPYVS increase by \$9,771 in fiscal 2021 and by \$13,014 in fiscal 2022. This estimate reflects the cost of hiring one part-time contractual data analyst to assist GOCPYVS (from May 1, 2021, until January 5, 2022) in staffing the workgroup and ensuring proper submission of the required report. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

	<u>FY 2021</u>	<u>FY 2022</u>
New Contractual Position	0.5	0.0
Salary and Fringe Benefits	4,625	12,844
Operating Expenses	<u>5,146</u>	<u>170</u>
Total State Expenditures	\$9,771	\$13,014

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.

Even though the fiscal and policy note for Chapter 31 included similar costs for GOCPYVS to staff the workgroup, due to the reporting deadline in Chapter 31 and the Act’s termination date, it is assumed that, despite the veto override, GOCPYVS is not likely to incur these expenditures in the absence of this bill.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 874 (Senator Jackson) - Judicial Proceedings.

Information Source(s): Governor's Office of Crime Prevention, Youth, and Victim Services; Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2021
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