
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

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November 18, 2025

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0116 – Security Officers – Compensation

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0116 for form and legal sufficiency. The bill would: establish a minimum wage for covered security officers employed in the City; require the Wage Commission to determine and publish that minimum wage annually based upon a specific formula; require employers who employ two or more covered security officers in the City to pay those workers no less than that minimum wage; and make failure to pay that minimum wage a violation of Division I of Article 11 of the City Code.

As a general matter, the City's police power extends to establishing a local minimum wage. *See Mayor and City Council v. Sitnick*, 254 Md. 303, 309-10 (1969). This bill establishes a minimum wage for only one class of workers, *i.e.*, certain security officers, so it would need to comply with constitutional equal protection requirements. If there is a rational basis for mandating a higher minimum wage for certain security workers than other workers—as well as for excluding certain security workers from the higher wage—then the disparate treatment is permissible so long as it is related to a legitimate government interest. *See, e.g., Mgmt. Corp. v. Baltimore Cnty.*, 104 Md. App. 234, 243 (1995) (where there is no “infringement of a fundamental right or discrimination against a suspect class, we review the Council's actions under the rational basis test”); *Id.* at 244 (explaining that under the rational basis test, a law's disparate treatment of similarly situated parties may pass constitutional muster if that disparate treatment bears a rational relationship to legitimate government interests).

Assuming the City has a legitimate government interest in classifying certain security officers differently than other similarly situated workers, and that the classification is related to a legitimate government interest, the Law Department can approve the bill for form and legal sufficiency.

Sincerely,



Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor
Ty'lor Schnella, Mayor's Office of Government Relations
Hilary Ruley, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor
Desireé Luckey, Assistant Solicitor