
CITY OF BALTIMORE

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Mayor



DEPARTMENT OF LAW
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May 7, 2026

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 26-0186 – Supplementary Special Revenue Fund Operating Appropriation –
Baltimore City Sheriff's Office – \$612,096

Dear President and City Council Members:

The Law Department reviewed City Council Bill 26-0186 for form and legal sufficiency. The bill provides a Supplementary Special Revenue Fund Operating Appropriation in the amount of \$612,096 to the Baltimore City Sheriff's Office – Service 882 (Deputy Sheriff Enforcement), to provide funding for a wide range of law enforcement needs, including investigations, training, facilities, equipment, travel, and operational costs, as well as awards, memorials, and prevention programs such as drug or gang education. The Ordinance would take effect on the date of its enactment.

Council Bill 26-0186 identifies the revenue appropriated as "\$612,096 from the United States Department of Justice in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2026." According to the Bureau of Budget Management Research (BBMR) Memo to the Board of Estimates (BOE), the BOE is requested to approve a transfer and allocation of funds from the asset forfeiture fund with the U.S. Department of Justice. The BBMR Memo further notes that "The City received the dollars from the Department of Justice in September 2025. These dollars were not accounted for in the Sheriff's FY26 budget. This supplemental appropriation will allow them to spend down these monies." The funds from The Department of Justice Asset Forfeiture Program must be used solely for a variety of local law enforcement activities.

The Council bill cites as authority for the supplementary appropriation Section 8(b)(2)(iii) of Article VI of the City Charter which provides:

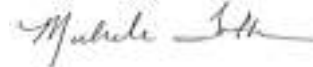
Further appropriations for programs included in the proposed Ordinance of Estimates made necessary by a material change in circumstances, or additional appropriations for new programs that could not reasonably be anticipated at the time of the formulation of the proposed Ordinance of Estimates may be made available to the appropriate municipal agency for expenditure by a supplementary appropriation ordinance recommended to the City Council by the Board of Estimates, duly passed by the City Council by a vote of three-fourths of its members and approved by the Mayor.

The bill correctly identifies the appropriated funds as federal. However, the bill does not identify any changed circumstance or new program. Section 8(b)(2)(ii) of Article VI of the Charter provides that grants from private or governmental sources that could not be expected with reasonable certainty at the time the Ordinance of Estimates was formulated may be made available to the appropriate municipal agency for expenditure. The asset forfeiture funds are a grant from the federal government, which was received by the City in September 2025, and left out of the Sheriff's budget. This appropriation is required so that the Sheriff's Office can spend these federal funds.

An amendment is required to Council Bill 26-0186 to correct the citation of authority for this bill. On page 1 of Council Bill 26-0186 in line 12 delete "Section 8(b)(2)(iii)" and in its place insert "Section 8(b)(2)(ii)". Additionally, on page 1, lines 19 through 21 should be removed in their entirety and replaced with the following provision: "The revenue appropriated by this Ordinance represents a grant of federal funds from United States Department of Justice Asset Forfeiture Fund in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2026." Following this provision insert "The grant could not have been expected with reasonable certainty when the Ordinance of Estimates for Fiscal Year 2026 was formulated." The bill notes that the Board of Estimates has recommended this appropriation to the City Council.

A supplementary appropriation must be recommended by the Board of Estimates and approved by the Mayor and City Council via an ordinance. The ordinance must identify the source of the funds and may only involve a "single program, purpose, activity or project." City Charter, Art. VI, § 8(c). The funds are being allocated to Service 882 (Deputy Sheriff Enforcement) in the Baltimore City Sheriff's Office. Since the bill meets these legal requirements, Law Department approves the bill for form and legal sufficiency with the required amendments.

Very truly yours,



Michele Toth
Assistant Solicitor

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