

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

House Bill 545 (Delegates Gordon and Vallario)  
Judiciary

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**State Prosecutor - Annual Report - Sanctions**

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This bill establishes a deadline for submission of a currently required annual report by the State Prosecutor to the Governor, the Attorney General, and the General Assembly on the activities of the Office of the State Prosecutor that are not confidential. Specifically, the bill requires the report to be submitted on or before 45 days after the end of each fiscal year.

The bill also provides that a failure to submit the report as required subjects the State Prosecutor to reprimand or removal from office.

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**Fiscal Summary**

**State Effect:** The deadline and possible sanctions provided under this bill would have minimal impact on governmental operations or finances. It is assumed that the report submission deadline could be met with the existing budgeted resources of the State Prosecutor. Reprimanding or removing the State Prosecutor could be handled with the existing operational resources of the State Prosecutor Selection and Disabilities Commission and the Office of the Governor.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Current Law:** The State Prosecutor is required to submit an annual report to the Governor, the Attorney General, and the General Assembly. There is no deadline for submitting the report.

The State Prosecutor Selection and Disabilities Commission may reprimand or recommend to the Governor the removal from the Office of the State Prosecutor if after a hearing, it finds that the State Prosecutor is guilty of misconduct in office, persistent failure to perform the duties of the office, or conduct prejudicial to the proper administration of justice.

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## Additional Information

**Prior Introductions:** HB 1188 of 2000, which would have abolished the Office of the State Prosecutor, received an unfavorable report from the Judiciary Committee.

**Cross File:** None.

**Information Source(s):** Office of the State Prosecutor, Department of Legislative Services

**Fiscal Note History:** First Reader – February 26, 2001  
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