

HOUSE BILL 434

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2002 Regular Session
2lr1668
CF 2lr2548

By: **Frederick County Delegation**

Introduced and read first time: January 30, 2002
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 19, 2002

CHAPTER 518

1 AN ACT concerning

2 **Frederick County - Deputy State's Attorneys**

3 FOR the purpose of increasing in Frederick County the number of deputy State's
4 Attorneys that the State's Attorney may appoint; repealing a requirement that
5 the deputy State's Attorneys in Frederick County be appointed from among
6 members of the bar of Frederick County; and generally relating to deputy State's
7 Attorneys in Frederick County.

8 BY repealing and reenacting, with amendments,
9 Article 10 - Legal Officials
10 Section 40(k)
11 Annotated Code of Maryland
12 (2001 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 10 - Legal Officials**

16 40.

17 (k) (1) In Frederick County, the State's Attorney's annual salary shall be 80
18 percent of the salary of a judge of the District Court of Maryland.

19 (2) The State's Attorney may appoint [a member] ~~TWO MEMBERS of the~~
20 ~~bar of Frederick County~~ ATTORNEYS as deputy State's [Attorney] ATTORNEYS, to
21 serve at the pleasure of the State's Attorney. [The] EACH deputy State's Attorney's
22 annual salary shall be set by the State's Attorney, subject to the approval of the

1 County Commissioners. Under the direction of the State's Attorney, the deputy State's
2 [Attorney] ATTORNEYS shall present cases to the grand jury and perform such other
3 acts and duties in relation to the grand jury and in the operation of the office as are
4 necessary and proper.

5 (3) The State's Attorney and deputy State's [Attorney] ATTORNEYS may
6 not engage in the private practice of law.

7 (4) The Board of County Commissioners shall provide an office in the
8 courthouse for the State's Attorney. The Board shall pay the expenses of the office,
9 including general operating expenses, cost of equipment, and the reasonable salary of
10 a stenographer to be appointed by the State's Attorney.

11 (5) The State's Attorney may appoint the number of full or part-time
12 assistant State's Attorneys and other staff personnel as may be approved by the
13 County Commissioners. All such appointees shall serve at the State's Attorney's
14 pleasure. The salaries and compensation of such persons shall be as approved by the
15 County Commissioners. The assistant State's Attorneys shall have the same legal
16 powers as the State's Attorney to present cases to the grand jury and perform such
17 other acts and duties in relation to the grand jury and in the operations of the office
18 as are necessary and proper.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 July 1, 2002.