

HOUSE BILL 132

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1998 Regular Session
8r0572
CF 8r0573

By: **Howard County Delegation**

Introduced and read first time: January 19, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - Deputy State's Attorneys**
3 **Ho. Co. 3-98**

4 FOR the purpose of authorizing the State's Attorney in Howard County to appoint a
5 second deputy State's Attorney in Howard County.

6 BY repealing and reenacting, with amendments,
7 Article 10 - Legal Officials
8 Section 40(n)
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1997 Supplement)

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

13 **Article 10 - Legal Officials**

14 40.

15 (n) In Howard County,

16 (1) The State's Attorney's salary shall be equal to the salary of a judge of
17 the District Court of Maryland. The State's Attorney may not engage in the private
18 practice of law.

19 (2) The State's Attorney may appoint [a] TWO deputy State's [Attorney]
20 ATTORNEYS, whose [salary] SALARIES shall be set by the County Executive with the
21 approval of the County Council, at not less than [\$6,000.00] \$6,000 EACH annually.

22 (3) The State's Attorney may appoint such assistant State's Attorneys as
23 may be authorized by the County Executive and whose salaries shall be set by the
24 County Executive with the approval of the County Council. The deputy STATE'S
25 ATTORNEYS and assistant State's Attorneys shall serve at the pleasure of the State's
26 Attorney and have the same legal power as the State's Attorney to represent the State
27 before the grand jury and at the trial of criminal proceedings.

1 (4) The State's Attorney may appoint an administrative assistant who is
2 authorized and empowered to collect and distribute moneys payable for the support of
3 dependents under orders issuing from the several courts of this State, or any other
4 state, and to retain two percent of any moneys so collected to be paid to the County
5 Council for Howard County to defray the costs of this service. The administrative
6 assistant's salary shall be set by the County Executive with the approval of the
7 County Council.

8 (5) The County Auditor shall, not later than three months after the close
9 of each fiscal year, examine the books and accounts of the State's Attorney and
10 prepare and submit to the County Council and to the County Executive a complete
11 financial audit for the preceding fiscal year. This report shall be included in the
12 annual audit required by § 40 of Article 19 of the Annotated Code of Maryland.
13 Special audits may be ordered at any time by the County Council or County Executive
14 in accordance with § 213 of the Howard County Charter.

15 (6) The deputy State's Attorneys and assistant State's Attorneys shall
16 perform any work directed by the State's Attorney or authorized by law and, under
17 the State's Attorney's direction, may present cases to the grand jury, sign indictments
18 and criminal informations, and perform other acts and duties relating to the grand
19 jury and the operation of the office of the State's Attorney as are necessary and
20 proper.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1998.