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By: **Charles County Delegation**

Introduced and read first time: February 11, 1998

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Charles County State's Attorney - Salary**

3 FOR the purpose of altering the salary of the Charles County State's Attorney;  
4 specifying that the salary shall be based upon a percentage of the salary of a  
5 District Court of Maryland judge; and providing that this Act does not apply to  
6 the salary or compensation of the incumbent Charles County State's Attorney.

7 BY repealing and reenacting, with amendments,  
8 Article 10 - Legal Officials  
9 Section 40(i)  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume and 1997 Supplement)

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

14 **Article 10 - Legal Officials**

15 40.

16 (i) (1) In Charles County, the State's Attorney's salary shall be [\$85,000 at  
17 the beginning of the State's Attorney's term in 1995 and shall be \$87,550 for 1996,  
18 1997, and 1998] 95 PERCENT OF THE SALARY OF A JUDGE OF THE DISTRICT COURT  
19 OF MARYLAND. In addition to the compensation provided for in this section, the  
20 State's Attorney shall be entitled to reimbursement for reasonable expenses during  
21 his performance of duties, subject to the approval of the County Commissioners.  
22 Except in connection with and in performance of duties as State's Attorney, while in  
23 office the State's Attorney shall serve full time and may not appear as counsel or  
24 represent any party professionally before any court, board, commission, or agency of  
25 this State or of any of its political subdivisions, or otherwise engage in the private  
26 practice of law.

27 (2) The State's Attorney may appoint a deputy State's Attorney. The  
28 deputy State's Attorney shall serve full time and may not engage in the private  
29 practice of law. The salary of the deputy State's Attorney shall be set by the County

1 Commissioners and, after December 31, 1990, may not exceed the salary of the State's  
2 Attorney.

3           (3)       The State's Attorney may appoint assistant State's Attorneys in the  
4 number approved by the senior resident Circuit Court judge for Charles County. The  
5 assistant State's Attorneys may serve either part time or full time. An assistant  
6 State's Attorney may not engage in the private practice of criminal law. The salary of  
7 each assistant attorney shall be set by the County Commissioners and may not exceed  
8 the salary of the State's Attorney.

9           (4)       The deputy State's Attorney and the assistant State's Attorneys shall  
10 serve at the pleasure of the State's Attorney and shall perform such work as may be  
11 directed by the State's Attorney, or as authorized by law, and may present cases to the  
12 grand juries, sign indictments and criminal informations, and perform other  
13 functions necessary and proper to the operation of the office.

14           (5)       The State's Attorney may appoint clerical, administrative,  
15 investigative, and other assistants as the State's Attorney deems necessary for the  
16 proper conduct of the office. The salaries for these positions shall be subject to the  
17 approval of the County Commissioners. The employees shall be entitled to all benefits  
18 received by county employees.

19       SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,  
20 Section 35 of the Constitution of Maryland, this Act may not be construed to extend or  
21 apply to the salary or compensation of the Charles County State's Attorney in office  
22 on the effective date of this Act, but the provisions of this Act concerning the salary or  
23 compensation of the Charles County State's Attorney shall take effect at the  
24 beginning of the next following term of office.

25       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
26 effect October 1, 1998.