

HOUSE BILL 718

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1998 Regular Session
8lr1028

By: **Charles County Delegation**

Introduced and read first time: February 11, 1998

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 24, 1998

CHAPTER_____

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 CALENDAR YEAR 1998] 95 PERCENT OF THE SALARY OF A JUDGE OF THE~~

19 ~~DISTRICT COURT OF MARYLAND AND \$89,550 FOR CALENDAR YEAR 1999 AND EACH~~

20 ~~SUBSEQUENT CALENDAR YEAR.~~ In addition to the compensation provided for in this

21 section, the State's Attorney shall be entitled to reimbursement for reasonable

22 expenses during his performance of duties, subject to the approval of the County

23 Commissioners. Except in connection with and in performance of duties as State's

1 Attorney, while in office the State's Attorney shall serve full time and may not appear
2 as counsel or represent any party professionally before any court, board, commission,
3 or agency of this State or of any of its political subdivisions, or otherwise engage in
4 the private practice of law.

5 (2) The State's Attorney may appoint a deputy State's Attorney. The
6 deputy State's Attorney shall serve full time and may not engage in the private
7 practice of law. The salary of the deputy State's Attorney shall be set by the County
8 Commissioners and, after December 31, 1990, may not exceed the salary of the State's
9 Attorney.

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

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

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

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

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

