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By: **Delegates W. Baker, Guns, and Walkup**  
Introduced and read first time: February 9, 2001  
Assigned to: Judiciary

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 13, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Queen Anne's County - State's Attorney - Salary and Duties**

3 FOR the purpose of increasing the salary of the State's Attorney in Queen Anne's  
4 County to a certain amount ; prohibiting the State's Attorney in Queen Anne's  
5 County from engaging in the private practice of law; prohibiting the State's  
6 Attorney in Queen Anne's County from appearing professionally in any criminal  
7 matter except in performance of his or her position as State's Attorney;  
8 authorizing the State's Attorney of Queen Anne's County to appoint one or more  
9 assistants with the approval of the County Commissioners at a salary set by the  
10 County Commissioners; providing that this Act does not apply to the salary or  
11 compensation of the incumbent State's Attorney; and generally relating to the  
12 position of State's Attorney in Queen Anne's County.

13 BY repealing and reenacting, with amendments,  
14 Article 10 - Legal Officials  
15 Section 40(r)  
16 Annotated Code of Maryland  
17 (1998 Replacement Volume and 2000 Supplement)

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

20 **Article 10 - Legal Officials**

21 40.

22 (r) (1) [In Queen Anne's County, the annual salary of the State's Attorney  
23 shall be set by the County Commissioners of Queen Anne's County. However, the

1 salary shall be at least \$20,000.] IN QUEEN ANNE'S COUNTY, THE ANNUAL SALARY OF  
2 THE STATE'S ATTORNEY IS 90 PERCENT OF THE SALARY OF A JUDGE OF THE  
3 DISTRICT COURT OF MARYLAND. The salary shall be set prior to the date on which a  
4 newly elected State's Attorney first assumes his OR HER position during his OR HER  
5 term of office.

6 (2) THE STATE'S ATTORNEY MAY NOT ENGAGE IN THE PRIVATE  
7 PRACTICE OF LAW AT ANY TIME IN ANY JURISDICTION DURING THE STATE'S  
8 ATTORNEY'S TENURE IN OFFICE.

9 (3) THE STATE'S ATTORNEY MAY NOT APPEAR PROFESSIONALLY IN ANY  
10 CRIMINAL PROCEEDING IN THIS STATE, EXCEPT IN THE PERFORMANCE OF HIS OR  
11 HER POSITION AS STATE'S ATTORNEY.

12 [(2)] (4) The State's Attorney may appoint one or more assistant State's  
13 Attorneys with the approval of the County Commissioners AT A SALARY SET BY THE  
14 COUNTY COMMISSIONERS. [The County Commissioners shall set the annual salary  
15 of the assistant State's Attorneys. However, the salary shall be at least \$12,000.]

16 [(3)] (5) The County Commissioners shall furnish the State's Attorney  
17 with an office and with a secretary, whose salary shall be determined by the County  
18 Commissioners. The County Commissioners shall furnish the State's Attorney with  
19 supplies and equipment for the office, as the County Commissioners shall deem  
20 appropriate. The County Commissioners shall reimburse the State's Attorney for any  
21 actual expenses of the office, which shall be shown by vouchers. The vouchers shall be  
22 presented to the County Commissioners for reimbursement.

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

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2001.