

HOUSE BILL 238

Unofficial Copy  
L2

2002 Regular Session  
(2r1325)

**ENROLLED BILL**  
-- Judiciary/Judicial Proceedings --

Introduced by **Delegates Schisler, W. Baker, Crouse, Eckardt, and Walkup**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Talbot County Dorchester and Talbot Counties - State's Attorney - Salary**  
3 **and Duties**

4 FOR the purpose of prohibiting the State's Attorney for Dorchester County from  
5 engaging in the private practice of law; setting the salary of the State's Attorney  
6 for Talbot County; requiring the State's Attorney for Talbot County to serve full  
7 time; prohibiting the State's Attorney for Talbot County from engaging in the  
8 private practice of law; providing that this Act does not apply to the salary or  
9 compensation of the incumbent State's Attorney for Talbot County; and  
10 generally relating to the salary and duties of the State's Attorney for Talbot  
11 County and the duties of the State's Attorney for Dorchester County.

12 BY repealing and reenacting, with amendments,  
13 Article 10 - Legal Officials  
14 Section ~~40(u)(1)~~ 40(j)(2) and (u)(1)  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume)

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

3 **Article 10 - Legal Officials**

4 40.

5 (j) (2) The State's Attorney shall serve full time AND MAY NOT ENGAGE IN  
6 THE PRIVATE PRACTICE OF LAW.

7 (u) In Talbot County[,]:

8 (1) (i) The State's Attorney's salary shall be [as set by the County  
9 Council] ~~90~~ 80 PERCENT OF THE SALARY OF A JUDGE OF THE DISTRICT COURT OF  
10 MARYLAND.

11 (ii) The State's Attorney ~~may serve part time~~ SHALL SERVE FULL  
12 TIME and[, subject to the provisions of paragraph (iii) of this subsection,] may NOT  
13 engage in the private practice of law.

14 [(iii) Except in connection with and in the performance of the State's  
15 Attorney's duties as the State's Attorney, the State's Attorney may not appear  
16 professionally in any criminal proceeding in this State.]

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

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2002.