

HOUSE BILL 238

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2002 Regular Session  
2r1325  
CF 2r1395

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By: **Delegates Schisler, W. Baker, Crouse, Eckardt, and Walkup**  
Introduced and read first time: January 21, 2002  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

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

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

9 BY repealing and reenacting, with amendments,  
10 Article 10 - Legal Officials  
11 Section 40(u)(1)  
12 Annotated Code of Maryland  
13 (2001 Replacement Volume)

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

16 **Article 10 - Legal Officials**

17 40.

18 (u) In Talbot County[,]:

19 (1) (i) The State's Attorney's salary shall be [as set by the County  
20 Council] 90 PERCENT OF THE SALARY OF A JUDGE OF THE DISTRICT COURT OF  
21 MARYLAND.

22 (ii) The State's Attorney may serve part time and[, subject to the  
23 provisions of paragraph (iii) of this subsection,] may NOT engage in the private  
24 practice of law.

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

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

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