

SENATE BILL 492

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L2

2002 Regular Session  
(2r2082)

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

Introduced by **Senators Baker and Hooper , Hooper, and Jacobs**

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.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Cecil County - State's Attorney's Office - Support Staff**

3 FOR the purpose of providing that ~~the~~ certain clerical, secretarial, administrative,  
4 and other ~~assistants~~ support staff of the State's Attorney's office in Cecil County  
5 shall be subject to the Cecil County personnel policies and procedures governing  
6 Cecil County employees; and generally relating to the State's Attorney's office in  
7 Cecil County.

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

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

## Article 10 - Legal Officials

1  
2 40.

3 (h) (1) (i) In Cecil County, the State's Attorney's salary shall be 95 percent  
4 of a District Court judge's salary.

5 (ii) The State's Attorney may not engage in the private practice of  
6 law during the State's Attorney's term of office.

7 (iii) The State's Attorney shall devote full time to the duties of the  
8 office.

9 (iv) In addition to the compensation provided for in this section, the  
10 State's Attorney for the operation of his office and the performance of his duties, shall  
11 be entitled to a reasonable expense allowance which shall be as provided for in the  
12 Cecil County budget.

13 (2) The State's Attorney may appoint one deputy and such assistant  
14 State's Attorneys as are provided for in the Cecil County budget to serve part time at  
15 the pleasure of the State's Attorney. The salary of the deputy State's Attorney and the  
16 assistant State's Attorneys shall be as provided for in the Cecil County budget.

17 (3) The deputy State's Attorney and the assistant State's Attorneys shall  
18 have the same legal powers as the State's Attorney to represent the State before  
19 grand juries and in the trial of criminal proceedings.

20 (4) The State's Attorney may appoint clerical, secretarial,  
21 administrative, INVESTIGATIVE, and other ~~assistants~~ SUPPORT STAFF as the State's  
22 Attorney deems necessary for the proper conduct of the office. The salaries for these  
23 positions shall be as provided for in the Cecil County budget. ~~THESE EXCEPT FOR THE~~  
24 STATE'S ATTORNEYS EXECUTIVE SECRETARY AND CRIMINAL INVESTIGATORS.  
25 THESE EMPLOYEES SHALL BE SUBJECT TO THE CECIL COUNTY PERSONNEL  
26 POLICIES AND PROCEDURES GOVERNING COUNTY EMPLOYEES.

27 (5) The State's Attorney is the appointing authority for all employees of  
28 that office and [they] ALL EMPLOYEES EXCEPT THOSE SUBJECT TO PARAGRAPH (4)  
29 ABOVE THE COUNTY PERSONNEL POLICIES AND PROCEDURES shall serve at the  
30 pleasure of the State's Attorney.

31 (6) The State's Attorney, deputy State's Attorney, and assistant State's  
32 Attorneys shall be entitled to all benefits received by full-time employees of Cecil  
33 County.

34 (7) The State's Attorney's allowance for special work and employment of  
35 extra help is \$1,500 a year, to be spent only with the approval of the Administrative  
36 Judge of the Circuit Court for Cecil County.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
38 October 1, 2002.

