

SENATE BILL 492

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2002 Regular Session  
2r2082  
CF 2r2081

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By: **Senators Baker and Hooper**

Introduced and read first time: February 1, 2002

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

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

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

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

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

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

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

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

26 (2) The State's Attorney may appoint one deputy and such assistant  
27 State's Attorneys as are provided for in the Cecil County budget to serve part time at

1 the pleasure of the State's Attorney. The salary of the deputy State's Attorney and the  
2 assistant State's Attorneys shall be as provided for in the Cecil County budget.

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

6           (4)       The State's Attorney may appoint clerical, secretarial,  
7 administrative, and other assistants as the State's Attorney deems necessary for the  
8 proper conduct of the office. The salaries for these positions shall be as provided for in  
9 the Cecil County budget. THESE EMPLOYEES SHALL BE SUBJECT TO THE CECIL  
10 COUNTY PERSONNEL POLICIES AND PROCEDURES GOVERNING COUNTY  
11 EMPLOYEES.

12           (5)       The State's Attorney is the appointing authority for all employees of  
13 that office and [they] ALL EMPLOYEES EXCEPT THOSE SUBJECT TO PARAGRAPH (4)  
14 ABOVE shall serve at the pleasure of the State's Attorney.

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

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

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