

SENATE BILL 492

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2002 Regular Session
2lr2082
CF 2lr2081

By: **Senators Baker and Hooper, Hooper, and Jacobs**

Introduced and read first time: February 1, 2002

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 19, 2002

CHAPTER _____

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.

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

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

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

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

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

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

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

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