

SENATE BILL 847

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2002 Regular Session
2lr2548
CF HB 434

By: **Senators Ferguson and Mooney**

Introduced and read first time: February 18, 2002

Assigned to: Rules

Re-referred to: Judicial Proceedings, March 4, 2002

Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2002

CHAPTER _____

1 AN ACT concerning

2 **Frederick County - Deputy State's Attorneys**

3 FOR the purpose of increasing in Frederick County the number of deputy State's
4 Attorneys that the State's Attorney may appoint; and generally relating to
5 deputy State's Attorneys in Frederick County.

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

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

13 **Article 10 - Legal Officials**

14 40.

15 (k) (1) In Frederick County, the State's Attorney's annual salary shall be 80
16 percent of the salary of a judge of the District Court of Maryland.

17 (2) The State's Attorney may appoint [a member] TWO MEMBERS of the
18 bar of Frederick County as deputy State's [Attorney] ATTORNEYS, to serve at the
19 pleasure of the State's Attorney. [The] EACH deputy State's Attorney's annual salary
20 shall be set by the State's Attorney, subject to the approval of the County
21 Commissioners. Under the direction of the State's Attorney, the deputy State's

1 [Attorney] ATTORNEYS shall present cases to the grand jury and perform such other
2 acts and duties in relation to the grand jury and in the operation of the office as are
3 necessary and proper.

4 (3) The State's Attorney and deputy State's [Attorney] ATTORNEYS may
5 not engage in the private practice of law.

6 (4) The Board of County Commissioners shall provide an office in the
7 courthouse for the State's Attorney. The Board shall pay the expenses of the office,
8 including general operating expenses, cost of equipment, and the reasonable salary of
9 a stenographer to be appointed by the State's Attorney.

10 (5) The State's Attorney may appoint the number of full or part-time
11 assistant State's Attorneys and other staff personnel as may be approved by the
12 County Commissioners. All such appointees shall serve at the State's Attorney's
13 pleasure. The salaries and compensation of such persons shall be as approved by the
14 County Commissioners. The assistant State's Attorneys shall have the same legal
15 powers as the State's Attorney to present cases to the grand jury and perform such
16 other acts and duties in relation to the grand jury and in the operations of the office
17 as are necessary and proper.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2002.