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By: **Delegate Elmore**

Introduced and read first time: January 14, 2005

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Somerset County - State's Attorney's Office - Deputy State's Attorney**

3 FOR the purpose of authorizing the State's Attorney of Somerset County to appoint a  
4 deputy State's Attorney; providing that the deputy State's Attorney shall serve  
5 at the pleasure of the State's Attorney, shall perform work as directed by the  
6 State's Attorney or as authorized by law, may not engage in the private practice  
7 of law, shall be paid a salary as set by the County Commissioners, and shall  
8 perform certain functions; and generally relating to the Somerset County State's  
9 Attorney's Office.

10 BY repealing and reenacting, with amendments,

11 Article 10 - Legal Officials

12 Section 40(t)

13 Annotated Code of Maryland

14 (2001 Replacement Volume and 2004 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 10 - Legal Officials**

18 40.

19 (t) In Somerset County,

20 (1) The State's Attorney's salary is \$91,100.

21 (2) The State's Attorney may not engage in the private practice of law at  
22 any time in any jurisdiction during the State's Attorney's tenure of office.

23 (3) (I) THE STATE'S ATTORNEY MAY APPOINT A DEPUTY STATE'S  
24 ATTORNEY.

25 (II) THE DEPUTY STATE'S ATTORNEY SHALL SERVE AT THE  
26 PLEASURE OF THE STATE'S ATTORNEY AND SHALL PERFORM THE WORK AS MAY BE  
27 DIRECTED BY THE STATE'S ATTORNEY OR AS AUTHORIZED BY LAW.

1 (III) THE DEPUTY STATE'S ATTORNEY MAY NOT ENGAGE IN THE  
2 PRIVATE PRACTICE OF LAW.

3 (IV) THE SALARY OF THE DEPUTY STATE'S ATTORNEY SHALL BE SET  
4 BY THE COUNTY COMMISSIONERS AND MAY NOT EXCEED THE SALARY OF THE  
5 STATE'S ATTORNEY.

6 (V) THE DEPUTY STATE'S ATTORNEY SHALL PRESENT CASES TO  
7 GRAND JURIES, SIGN INDICTMENTS AND CRIMINAL INFORMATIONS, AND PERFORM  
8 OTHER FUNCTIONS NECESSARY AND PROPER TO THE OPERATION OF THE STATE'S  
9 ATTORNEY'S OFFICE.

10 [(3)] (4) The State's Attorney may appoint one or more assistants at a  
11 salary set by the County Commissioners.

12 [(4)] (5) The State's Attorney may hire an investigator or investigators  
13 for which provision is made in the annual county budget.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 July 1, 2005.