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By: **Delegate Elmore**

Introduced and read first time: January 14, 2005

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: February 15, 2005

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CHAPTER\_\_\_\_\_

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.

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

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

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

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

10                  (IV)       THE SALARY OF THE DEPUTY STATE'S ATTORNEY SHALL BE SET  
11 BY THE COUNTY COMMISSIONERS AND MAY NOT EXCEED THE SALARY OF THE  
12 STATE'S ATTORNEY.

13                  (V)       THE DEPUTY STATE'S ATTORNEY SHALL PRESENT CASES TO  
14 GRAND JURIES, SIGN INDICTMENTS AND CRIMINAL INFORMATIONS, AND PERFORM  
15 OTHER FUNCTIONS NECESSARY AND PROPER TO THE OPERATION OF THE STATE'S  
16 ATTORNEY'S OFFICE.

17                  [(3)]     (4)       The State's Attorney may appoint one or more assistants at a  
18 salary set by the County Commissioners.

19                  [(4)]     (5)       The State's Attorney may hire an investigator or investigators  
20 for which provision is made in the annual county budget.

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