

---

By: **Delegates Walkup and Sossi**

Introduced and read first time: January 26, 2006

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Kent County - State's Attorney - Salary**

3 FOR the purpose of altering the salary of the State's Attorney for Kent County;

4 providing that this Act does not apply to the salary of the incumbent State's

5 Attorney; and generally relating to the salary of the State's Attorney for Kent

6 County.

7 BY repealing and reenacting, with amendments,

8 Article 10 - Legal Officials

9 Section 40(o)

10 Annotated Code of Maryland

11 (2005 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 (o) In Kent County:

17 (1) The State's Attorney's salary shall be [70] 80 percent of the salary of  
18 a judge of the District Court of Maryland.

19 (2) The State's Attorney may employ one or more deputy State's  
20 Attorneys and assistant State's Attorneys who shall be members of the local bar in  
21 good standing. The salaries of the deputy State's Attorneys and the assistant State's  
22 Attorneys shall be set by the County Commissioners. The deputy State's Attorneys  
23 and the assistant State's Attorneys shall serve at the pleasure of the State's Attorney.

24 (3) The State's Attorney may employ a criminal investigator. The salary  
25 of the investigator shall be set by the County Commissioners. The investigator shall  
26 serve at the pleasure of the State's Attorney.

1           (4)       The State's Attorney may employ an administrative coordinator and  
2 other administrative and clerical assistants as in the State's Attorney's judgment may  
3 be necessary for the proper conduct of the office. The salaries of the administrative  
4 coordinator and the administrative and clerical assistants shall be set by the County  
5 Commissioners.

6           (5)       The State's Attorney's allowance for general office expenses shall be  
7 set by the County Commissioners. Expenses shall be paid by the submission of  
8 vouchers for the expenses to, and after approval by, the County Commissioners.

9           (6)       The State's Attorney's special fund allowance for the cost of making  
10 investigations is \$4,000. Expenditures from this allowance shall be accounted for to  
11 the County Commissioners at the end of each year, and any balance remaining in the  
12 fund at the end of the fiscal year reverts to the general fund of the county.

13          (7)       The State's Attorney may not engage in the private practice of law  
14 during the State's Attorney's term of office.

15          (8)       The State's Attorney shall devote full time to the duties of the office.

16          (9)       At the discretion of the County Commissioners, each deputy State's  
17 Attorney or assistant State's Attorney may engage in the private practice of law.

18       SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §  
19 35 of the Maryland Constitution, this Act may not be construed to extend or apply to  
20 the salary or compensation of the State's Attorney for Kent County in office on the  
21 effective date of this Act, but the provisions of this Act concerning the salary or  
22 compensation of the State's Attorney for Kent County shall take effect at the  
23 beginning of the next following term of office.

24       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2006.