
By: **Delegates Walkup and Sossi**

Introduced and read first time: January 26, 2006

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2006

CHAPTER _____

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

1 Attorneys shall be set by the County Commissioners. The deputy State's Attorneys
2 and the assistant State's Attorneys shall serve at the pleasure of the State's Attorney.

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

6 (4) The State's Attorney may employ an administrative coordinator and
7 other administrative and clerical assistants as in the State's Attorney's judgment may
8 be necessary for the proper conduct of the office. The salaries of the administrative
9 coordinator and the administrative and clerical assistants shall be set by the County
10 Commissioners.

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

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

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

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
24 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
25 the salary or compensation of the State's Attorney for Kent County in office on the
26 effective date of this Act, but the provisions of this Act concerning the salary or
27 compensation of the State's Attorney for Kent County shall take effect at the
28 beginning of the next following term of office.

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