
By: **Senator Middleton**

Introduced and read first time: January 31, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County - Salary of State's Attorney**

3 FOR the purpose of altering the mandated salary of the State's Attorney for Charles
4 County to conform to the salary of a circuit court judge; providing that this Act
5 does not apply to the salary or compensation of the incumbent State's Attorney
6 for Charles County; and generally relating to the salary of the State's Attorney
7 for Charles County.

8 BY repealing and reenacting, without amendments,
9 Article 10 - Legal Officials
10 Section 40(a)
11 Annotated Code of Maryland
12 (2005 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article 10 - Legal Officials
15 Section 40(i)(1)
16 Annotated Code of Maryland
17 (2005 Replacement Volume)

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

20 **Article 10 - Legal Officials**

21 40.

22 (a) The State's Attorneys in the several counties of the State shall receive
23 annually the respective salaries set forth for performing the duties required of them
24 by their respective public local laws and by the public general laws, and such
25 expenses as are provided by law and by the current practice in the several counties.
26 The State's Attorneys shall receive annual payments for office, traveling and other
27 expenses. All payments for salaries and expenses shall be made by the respective

1 counties in equal monthly installments unless otherwise specified. The salaries and
2 expenses are as follows:

3 (i) (1) In Charles County, the State's Attorney's salary shall be [90% of the
4 salary of a judge of the District Court of Maryland] EQUAL TO THE SALARY OF A
5 JUDGE OF A CIRCUIT COURT IN THE STATE. In addition to the compensation provided
6 for in this section, the State's Attorney shall be entitled to reimbursement for
7 reasonable expenses during his performance of duties, subject to the approval of the
8 County Commissioners. Except in connection with and in performance of duties as
9 State's Attorney, while in office the State's Attorney shall serve full time and may not
10 appear as counsel or represent any party professionally before any court, board,
11 commission, or agency of this State or of any of its political subdivisions, or otherwise
12 engage in the private practice of law.

13 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
14 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
15 the salary or compensation of the State's Attorney for Charles County in office on the
16 effective date of this Act, but the provisions of this Act concerning the salary or
17 compensation of the State's Attorney for Charles County shall take effect at the
18 beginning of the next following term of office.

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