

---

By: **Senator Middleton**

Introduced and read first time: January 31, 2006

Assigned to: Judicial Proceedings

---

Committee Report: Favorable

Senate action: Adopted

Read second time: February 21, 2006

---

CHAPTER\_\_\_\_\_

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:

1

**Article 10 - Legal Officials**

2 40.

3 (a) The State's Attorneys in the several counties of the State shall receive  
4 annually the respective salaries set forth for performing the duties required of them  
5 by their respective public local laws and by the public general laws, and such  
6 expenses as are provided by law and by the current practice in the several counties.  
7 The State's Attorneys shall receive annual payments for office, traveling and other  
8 expenses. All payments for salaries and expenses shall be made by the respective  
9 counties in equal monthly installments unless otherwise specified. The salaries and  
10 expenses are as follows:

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

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

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