

HOUSE BILL 791

D2

(71r2073)

ENROLLED BILL

— *Environmental Matters / Judicial Proceedings* —

Introduced by **Queen Anne’s County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o’clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Queen Anne’s County – State’s Attorney – Salary**

3 FOR the purpose of altering the salary of the State’s Attorney for Queen Anne’s
4 County; authorizing the State’s Attorney to appoint one or more deputy State’s
5 Attorneys; specifying certain duties of the State’s Attorney, a deputy State’s
6 Attorney, and an assistant State’s Attorney; establishing that the State’s
7 Attorney is entitled to certain expenses for certain purposes; providing that this
8 Act does not apply to the salary or compensation of the incumbent State’s
9 Attorney for Queen Anne’s County; ~~providing for a delayed effective date~~; and
10 generally relating to the State’s Attorney for Queen Anne’s County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article 10 – Legal Officials
3 Section 40(r)
4 Annotated Code of Maryland
5 (2005 Replacement Volume and 2006 Supplement)

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

8 **Article 10 – Legal Officials**

9 40.

10 (r) (1) In Queen Anne’s County, the annual salary of the State’s Attorney
11 is [90 percent of] **EQUAL TO** the salary of a judge of the District Court of Maryland.
12 The salary shall be set prior to the date on which a newly elected State’s Attorney first
13 assumes his or her position during his or her term of office.

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

16 (3) The State’s Attorney may not appear professionally in any criminal
17 proceeding in this State, except in the performance of his or her position as State’s
18 Attorney.

19 (4) The State’s Attorney may appoint one or more **DEPUTY OR**
20 assistant State’s Attorneys with the approval of the County Commissioners at a salary
21 set by the County Commissioners.

22 [(5) The County Commissioners shall furnish the State’s Attorney with
23 an office and with a secretary, whose salary shall be determined by the County
24 Commissioners. The County Commissioners shall furnish the State’s Attorney with
25 supplies and equipment for the office, as the County Commissioners shall deem
26 appropriate. The County Commissioners shall reimburse the State’s Attorney for any
27 actual expenses of the office, which shall be shown by vouchers. The vouchers shall be
28 presented to the County Commissioners for reimbursement.]

29 **(5) THE STATE’S ATTORNEY, DEPUTY STATE’S ATTORNEYS, OR**
30 **ASSISTANT STATE’S ATTORNEYS SHALL PRESENT CASES TO THE GRAND JURY**
31 **AND PERFORM OTHER ACTS AND DUTIES IN RELATION TO THE GRAND JURY,**
32 **THE CIRCUIT COURT, INCLUDING THE JUVENILE COURT, AND THE DISTRICT**

1 COURT AS ARE NECESSARY AND PROPER IN THE JUDGMENT OF THE STATE'S
2 ATTORNEY.

3 (6) IN ADDITION TO THE COMPENSATION PROVIDED FOR UNDER
4 THIS SECTION, THE STATE'S ATTORNEY IS ENTITLED TO REASONABLE
5 EXPENSES AS PROVIDED FOR IN THE QUEEN ANNE'S COUNTY BUDGET FOR THE
6 OPERATION OF THE STATE'S ATTORNEY'S OFFICE AND THE PERFORMANCE OF
7 THE STATE'S ATTORNEY'S DUTIES.

8 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
9 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
10 the salary or compensation of the State's Attorney for Queen Anne's County in office
11 on the effective date of this Act, but the provisions of this Act concerning the salary or
12 compensation of the State's Attorney for Queen Anne's County shall take effect at the
13 beginning of the next following term of office.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 ~~January 3, 2011~~ October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.