

HOUSE BILL 791

D2

71r2073

By: **Queen Anne's County Delegation**

Introduced and read first time: February 9, 2007

Assigned to: Environmental Matters

A BILL ENTITLED

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.

11 BY repealing and reenacting, with amendments,
12 Article 10 – Legal Officials
13 Section 40(r)
14 Annotated Code of Maryland
15 (2005 Replacement Volume and 2006 Supplement)

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

18 **Article 10 – Legal Officials**

19 40.

20 (r) (1) In Queen Anne's County, the annual salary of the State's Attorney
21 is [90 percent of] **EQUAL TO** the salary of a judge of the District Court of Maryland.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The salary shall be set prior to the date on which a newly elected State's Attorney first
2 assumes his or her position during his or her term of office.

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

5 (3) The State's Attorney may not appear professionally in any criminal
6 proceeding in this State, except in the performance of his or her position as State's
7 Attorney.

8 (4) The State's Attorney may appoint one or more **DEPUTY OR**
9 assistant State's Attorneys with the approval of the County Commissioners at a salary
10 set by the County Commissioners.

11 [(5) The County Commissioners shall furnish the State's Attorney with
12 an office and with a secretary, whose salary shall be determined by the County
13 Commissioners. The County Commissioners shall furnish the State's Attorney with
14 supplies and equipment for the office, as the County Commissioners shall deem
15 appropriate. The County Commissioners shall reimburse the State's Attorney for any
16 actual expenses of the office, which shall be shown by vouchers. The vouchers shall be
17 presented to the County Commissioners for reimbursement.]

18 **(5) THE STATE'S ATTORNEY, DEPUTY STATE'S ATTORNEYS, OR**
19 **ASSISTANT STATE'S ATTORNEYS SHALL PRESENT CASES TO THE GRAND JURY**
20 **AND PERFORM OTHER ACTS AND DUTIES IN RELATION TO THE GRAND JURY,**
21 **THE CIRCUIT COURT, INCLUDING THE JUVENILE COURT, AND THE DISTRICT**
22 **COURT AS ARE NECESSARY AND PROPER IN THE JUDGMENT OF THE STATE'S**
23 **ATTORNEY.**

24 **(6) IN ADDITION TO THE COMPENSATION PROVIDED FOR UNDER**
25 **THIS SECTION, THE STATE'S ATTORNEY IS ENTITLED TO REASONABLE**
26 **EXPENSES AS PROVIDED FOR IN THE QUEEN ANNE'S COUNTY BUDGET FOR THE**
27 **OPERATION OF THE STATE'S ATTORNEY'S OFFICE AND THE PERFORMANCE OF**
28 **THE STATE'S ATTORNEY'S DUTIES.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,
30 § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
31 the salary or compensation of the State's Attorney for Queen Anne's County in office
32 on the effective date of this Act, but the provisions of this Act concerning the salary or
33 compensation of the State's Attorney for Queen Anne's County shall take effect at the
34 beginning of the next following term of office.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 January 3, 2011.