

HOUSE BILL 1111

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0lr2934
CF SB 928

By: **Carroll County Delegation**

Introduced and read first time: February 17, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – State’s Attorney – Salary**

3 FOR the purpose of requiring the governing body of Carroll County to adjust the
4 salary of the State’s Attorney for Carroll County to include a certain
5 cost-of-living adjustment under certain circumstances; providing that this Act
6 does not apply to the salary or compensation of the State’s Attorney for Carroll
7 County during a certain term in office; and generally relating to the salary of
8 the State’s Attorney for Carroll County.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 15–407
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2009 Supplement)

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

16 **Article – Criminal Procedure**

17 15–407.

18 (a) This section applies only in Carroll County.

19 (b) (1) (i) The State’s Attorney’s salary is 80% of the salary of a judge
20 of the District Court of Maryland.

21 (ii) **THE GOVERNING BODY OF CARROLL COUNTY SHALL**
22 **ADJUST THE SALARY OF THE STATE’S ATTORNEY TO INCLUDE ANY ANNUAL**
23 **COST-OF-LIVING ADJUSTMENT SALARY INCREASES THAT THE GOVERNING**
24 **BODY OF CARROLL COUNTY MAY GRANT TO COUNTY EMPLOYEES.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(III) [A] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF**
2 **THIS PARAGRAPH,** A salary increase shall take effect at the beginning of the elected
3 term of office and may not increase during the term of office.

4 (2) The county commissioners shall:

5 (i) provide space for the offices of the State's Attorney and pay
6 the expenses of the office, including general operating expenses, equipment costs, and
7 reasonable costs for secretarial or stenographic needs; or

8 (ii) as determined by the county commissioners, pay a
9 reasonable allowance to reimburse the State's Attorney for the costs of the operation of
10 the office.

11 (c) (1) The State's Attorney:

12 (i) may appoint two deputy State's Attorneys and the number
13 of assistant State's Attorneys necessary to staff the office; and

14 (ii) subject to the approval of the county commissioners, shall
15 set the salaries for the deputy and assistant State's Attorneys.

16 (2) (i) In addition to the assistant State's Attorneys appointed
17 under paragraph (1) of this subsection, if both the State's Attorney and the resident
18 judge of the circuit court of the county consider it necessary and the judge approves,
19 the State's Attorney may appoint an assistant State's Attorney.

20 (ii) The county commissioners shall set the salary of an
21 assistant State's Attorney appointed under this paragraph.

22 (d) The State's Attorney shall serve full time.

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 Carroll County during a term of
26 office beginning before the effective date of this Act, but the provisions of this Act
27 concerning the salary or compensation of the State's Attorney for Carroll County shall
28 take effect at the 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, 2010.