

HOUSE BILL 421

E2

EMERGENCY BILL

1lr1470

By: **Delegates Otto and McDermott**

Introduced and read first time: February 4, 2011

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2011

CHAPTER _____

1 AN ACT concerning

2 **Somerset County – Deputy State’s Attorney – Private Practice**

3 FOR the purpose of repealing a prohibition against the deputy State’s Attorney for
4 Somerset County engaging in the private practice of law; making this Act an
5 emergency measure; and generally relating to the deputy State’s Attorney in
6 Somerset County.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Procedure
9 Section 15–420
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2010 Supplement)

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

14 **Article – Criminal Procedure**

15 15–420.

16 (a) This section applies only in Somerset County.

17 (b) The State’s Attorney’s salary is \$98,000.

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.



1 (c) (1) The State’s Attorney may appoint a deputy State’s Attorney who
2 shall:

3 (i) serve at the pleasure of the State’s Attorney; and

4 (ii) present cases to the grand jury, sign indictments and
5 criminal informations, and perform other functions necessary to the operation of the
6 office and as directed by the State’s Attorney or as authorized by law.

7 (2) The county commissioners shall set a salary for the deputy State’s
8 Attorney that may not exceed the salary of the State’s Attorney.

9 (d) The State’s Attorney may:

10 (1) appoint one or more assistants at salaries that the county
11 commissioners set; and

12 (2) hire one or more investigators at salaries provided in the county
13 budget.

14 (e) The State’s Attorney [and deputy State’s Attorney] may not engage in
15 the private practice of law.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
17 measure, is necessary for the immediate preservation of the public health or safety,
18 has been passed by a yea and nay vote supported by three–fifths of all the members
19 elected to each of the two Houses of the General Assembly, and shall take effect from
20 the date it is enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.