

HOUSE BILL 825

D2
HB 1022/13 – ENV

4r3076
CF SB 639

By: ~~Delegate McConkey~~ Anne Arundel County Delegation

Introduced and read first time: February 5, 2014

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 **Anne Arundel County – State’s Attorney and Deputy, Assistant, and**
3 **Temporary Assistant State’s Attorneys – Annual Salary and Compensation**

4 FOR the purpose of ~~altering, beginning on a certain date and under certain~~
5 ~~circumstances,~~ providing that the annual salary of the State’s Attorney for Anne
6 Arundel County, shall be certain amounts for certain calendar years; repealing
7 a certain provision of law that requires a certain increase in the salary of the
8 State’s Attorney for Anne Arundel County each calendar year; providing that
9 the State’s Attorney may set certain salaries and compensation subject to the
10 approval of the county council; providing for the application of this Act; ~~making~~
11 ~~a stylistic change;~~ and generally relating to the salary and compensation of the
12 State’s Attorney, deputy State’s Attorneys, assistant State’s Attorneys, and
13 temporary assistant State’s Attorneys for Anne Arundel County.

14 BY repealing and reenacting, without amendments,
15 Article – Criminal Procedure
16 Section 15–403(a)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2013 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Criminal Procedure
21 Section 15–403(b) and (c)
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2013 Supplement)

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

3 **Article – Criminal Procedure**

4 15–403.

5 (a) This section applies only in Anne Arundel County.

6 ~~(b) [The] BEGINNING ON JANUARY 1, 2015, THE State's Attorney's~~
7 ~~salary:~~

8 ~~(1) for calendar year 2003, is equal to the salary of a circuit court~~
9 ~~judge as of December 31, 2002; and~~

10 ~~(2) shall be increased each calendar year [thereafter] by 3% over the~~
11 ~~salary of the State's Attorney for the previous calendar year, UNLESS THE COUNTY~~
12 ~~COUNCIL APPROVES AN ALTERNATE ANNUAL AMOUNT BEFORE THE START OF~~
13 ~~EACH TERM OF OFFICE OF THE STATE'S ATTORNEY.~~

14 **(B) THE STATE'S ATTORNEY'S SALARY SHALL BE:**

15 **(1) \$165,551 FOR CALENDAR YEAR 2014; AND**

16 **(2) \$175,000 FOR CALENDAR YEAR 2015 AND EACH SUBSEQUENT**
17 **CALENDAR YEAR.**

18 (c) (1) The State's Attorney may:

19 (i) 1. appoint two deputy State's Attorneys; and

20 2. subject to the approval of the county COUNCIL, set
21 salaries for the deputy State's Attorneys that may not exceed 90% of the State's
22 Attorney's salary; and

23 (ii) 1. appoint the number of assistant State's Attorneys as
24 provided by the county; and

25 2. subject to approval by the county COUNCIL, set
26 salaries for the assistant State's Attorneys that may not exceed 80% of the State's
27 Attorney's salary.

28 (2) Subject to approval by the administrative judge of the circuit court,
29 the State's Attorney may:

1 (i) appoint a temporary assistant State's Attorney for a
2 particular case or series of cases; and

3 (ii) subject to the approval of the county COUNCIL, set the
4 compensation for the temporary assistant State's Attorney.

5 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
6 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
7 the salary or compensation of the State's Attorney for Anne Arundel County while
8 serving in a term of office beginning before the effective date of this Act, but the
9 provisions of this Act concerning the salary or compensation of the State's Attorney for
10 Anne Arundel County shall take effect at the beginning of the next following term of
11 office. This limitation does not apply to an individual appointed or elected after the
12 effective date of this Act to fill out an unexpired term.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.