

SENATE BILL 639

D2
SB 655/13 – JPR

4lr0421

By: **Senator Simonaire**

Introduced and read first time: January 30, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

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, the annual salary of the State’s Attorney for Anne Arundel
6 County; providing that the State’s Attorney may set certain salaries and
7 compensation subject to the approval of the county council; providing that this
8 Act does not apply to the salary or compensation of the incumbent State’s
9 Attorney during a certain term of office; making a stylistic change; and
10 generally relating to the salary and compensation of the State’s Attorney,
11 deputy State’s Attorneys, assistant State’s Attorneys, and temporary assistant
12 State’s Attorneys for Anne Arundel County.

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

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

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

25 **Article – Criminal Procedure**

26 15–403.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 (b) [The] **BEGINNING ON JANUARY 1, 2015, THE** State's Attorney's
3 salary[:

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

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

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

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

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

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

17 2. subject to approval by the county **COUNCIL**, set
18 salaries for the assistant State's Attorneys that may not exceed 80% of the State's
19 Attorney's salary.

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

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

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

26 **SECTION 2. AND BE IT FURTHER ENACTED**, That, pursuant to Article III, §
27 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
28 the salary or compensation of the State's Attorney for Anne Arundel County while
29 serving in a term of office beginning before the effective date of this Act, but the
30 provisions of this Act concerning the salary or compensation of the State's Attorney for
31 Anne Arundel County shall take effect at the beginning of the next following term of
32 office. This limitation does not apply to an individual appointed or elected after the
33 effective date of this Act to fill out an unexpired term.

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