

SENATE BILL 136

D2

6lr1615

By: **Senator Mathias**

Introduced and read first time: January 15, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the salary of the State’s Attorney of Somerset County;
4 providing for the application of this Act; and generally relating to the salary of the
5 State’s Attorney of Somerset County.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Procedure
8 Section 15–420
9 Annotated Code of Maryland
10 (2008 Replacement Volume and 2015 Supplement)

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

13 **Article – Criminal Procedure**

14 15–420.

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

16 (b) The State’s Attorney’s salary is [~~\$98,000~~] **\$101,000**.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (d) The State's Attorney may:

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

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

7 (e) The State's Attorney may not engage in the private practice of law.

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

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2016.