

Chapter 277

(House Bill 692)

AN ACT concerning

Carroll County – State’s Attorney – Restrictions on Practice

FOR the purpose of prohibiting the State’s Attorney in Carroll County from engaging in the private practice of law; and generally relating to State’s Attorneys and Carroll County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–407
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Criminal Procedure

15–407.

(a) This section applies only in Carroll County.

(b) (1) (i) The State’s Attorney’s salary is the following percentages of the salary of a judge of the District Court of Maryland:

1. 80%, ending on December 3, 2018;
2. 90%, beginning on December 4, 2018; and
3. 100%, beginning on December 3, 2019, and thereafter.

(ii) A salary increase shall take effect at the beginning of the elected term of office and may not increase during the term of office.

(2) The county commissioners shall:

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

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

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

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

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

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

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

(d) The State's Attorney shall serve full time **AND MAY NOT ENGAGE IN THE PRIVATE PRACTICE OF LAW.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved by the Governor, May 12, 2022.