

Supplement) be and they are hereby repealed and reenacted, with amendments, to read as follows:

Article 10 - Attorneys at Law and Attorneys
in Fact

STATE PROSECUTOR

33A.

(a) The office of State ~~[[prosecutor]]~~ Prosecutor is created as an independent unit [in the executive branch and for administrative purposes only is] within the office of the Attorney General. The State ~~[[prosecutor]]~~ Prosecutor shall be nominated by the State Prosecutor Selection and Disabilities Commission and appointed by the Governor with the advice and consent of the Senate for a term of six years and until his successor is appointed and qualifies.

(b) A person is not eligible to be State ~~[[prosecutor]]~~ Prosecutor unless, HE HAS EXECUTED AN AFFIDAVIT UNDER OATH THAT THE PERSON WILL NOT ACCEPT APPOINTMENT TO, OR BE A CANDIDATE FOR, ANY STATE OR LOCAL OFFICE, WHETHER APPOINTIVE OR ELECTIVE, DURING HIS SERVICE AS THE STATE PROSECUTOR AND FOR A THREE YEAR PERIOD AFTER THE PERSON LAST SERVES AS THE STATE PROSECUTOR, AND at the time of his appointment, he has actively and lawfully practiced law in Maryland for at least five years. DURING HIS SERVICE AS THE STATE PROSECUTOR, THE PERSON SHALL RENEW THE AFFIDAVIT EVERY TWO YEARS, AND FAILURE TO DO SO SHALL SUBJECT HIM TO REMOVAL FROM OFFICE PURSUANT TO THIS SECTION.

(c) The State ~~[[prosecutor]]~~ Prosecutor shall receive the salary provided in the State budget, but not less than the salary of a judge of the circuit court.

(d) The State ~~[[prosecutor]]~~ Prosecutor may be removed from office by the Governor, but only upon the recommendation of the State Prosecutor Selection and Disabilities Commission, for misconduct in office, persistent failure to perform the duties of his office, or conduct prejudicial to the proper administration of justice.

[[(E) FOR A THREE YEAR PERIOD AFTER A PERSON LAST SERVES AS THE STATE PROSECUTOR, THE PERSON MAY NOT BE A CANDIDATE FOR ANY STATE OR LOCAL ELECTIVE OFFICE OTHER THAN A JUDICIAL OFFICE CREATED UNDER ARTICLE IV OF THE CONSTITUTION TO WHICH THE PERSON HAS THERETOPRE BEEN APPOINTED.]]

33B.

(a) The State ~~[[prosecutor]]~~ Prosecutor has the duties, powers, and responsibilities set forth in this section.