

Annotated Code of Maryland
(1968 Replacement Volume and 1973 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 40(b) of Article 10 - Attorneys at Law and Attorneys in Fact, of the Annotated Code of Maryland (1968 Replacement Volume and 1973 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 10 - Attorneys at Law and Attorneys in Fact

40.

(b) In Allegany County, (1) the State's Attorney's salary shall be not less than [twelve thousand dollars (\$12,000),] \$12,000, in the discretion of the Board of County Commissioners. DURING HIS TERMS OF OFFICE, THE STATE'S ATTORNEY, EXCEPT IN CONNECTION WITH AND IN PERFORMANCE OF HIS DUTIES AS THE STATE'S ATTORNEY, MAY NOT APPEAR AS COUNSEL OR REPRESENT ANY PARTY PROFESSIONALLY BEFORE ANY COURT, MAGISTRATE, BOARD, COMMISSION, OR AGENCY OF THIS STATE OR ANY COUNTY OR POLITICAL SUBDIVISION OF THIS STATE. IT IS INTENDED BY THE PROVISIONS HEREIN THAT THE STATE'S ATTORNEY MAY NOT ENGAGE IN THE PRIVATE PRACTICE OF LAW IN ANY MATTER WHATSOEVER.

(2) The State's Attorney may appoint a deputy State's attorney[[, whose annual salary shall be not less than]] [six thousand (\$6,000) dollars.] [[\$11,000,]] AND AN ASSISTANT STATE'S ATTORNEY[[, WHOSE ANNUAL SALARY MAY BE NOT LESS THAN \$10,000]]. THE DEPUTY AND ASSISTANT STATE'S ATTORNEYS MAY NOT BE PRECLUDED FROM THE PRIVATE PRACTICE OF LAW.

(3) The State's Attorney, [and] the deputy State's attorney, [or either] AND THE ASSISTANT STATE'S ATTORNEY, OR ANY ONE of them, shall present cases to the grand jury and perform such other acts and duties in relation to the grand jury, the Circuit Court and the District Court as are necessary and proper. In the absence of the State's Attorney, the deputy State's attorney shall have the same legal powers as the State's Attorney to represent the State before grand juries and in the trial of criminal proceedings. IN THE ABSENCE OF BOTH THE STATE'S ATTORNEY AND THE DEPUTY STATE'S ATTORNEY, THE ASSISTANT STATE'S ATTORNEY HAS THE SAME LEGAL POWERS AS THE STATE'S ATTORNEY TO REPRESENT THE STATE BEFORE GRAND JURIES AND IN THE TRIAL OF CRIMINAL PROCEEDINGS.