

BY repealing and reenacting, with amendments,

Article 10 - Attorneys at Law and Attorneys in Fact
~~Section 33A(a), 33B(d), (i), (j), and 33C~~
Section 33B(d) and (e)
 Annotated Code of Maryland
 (1976 Replacement Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 10 - Attorneys at Law and Attorneys in Fact

~~33A.~~

~~(a) The office of State Prosecutor is created as an independent unit [within the office of the Attorney General] IN THE EXECUTIVE BRANCH. The State 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.~~

33B.

(d) If the State Prosecutor finds that an alleged violation of the criminal law set forth in subsections (b) and (c) has occurred, he shall make a confidential report of his findings together with any recommendations for prosecution to ~~the Attorney General and~~ the State's attorney having jurisdiction to prosecute the matter. HOWEVER, A REPORT AND RECOMMENDATIONS CONTAINING ALLEGATIONS OF OFFENSES COMMITTED BY A STATE'S ATTORNEY ARE NOT REQUIRED TO BE MADE TO THAT STATE'S ATTORNEY.

~~(i) [The budget of the State Prosecutor and his office shall be a part of the budget of the office of the Attorney General.] THE STATE PROSECUTOR SHALL PREPARE AND SUBMIT TO THE GOVERNOR A CONSOLIDATED BUDGET FOR HIS OFFICE.~~

~~(j) He shall submit an annual report to the Governor [the Attorney General] and the General Assembly on the activities of his office which are not confidential.~~

~~33C.~~

~~The State Prosecutor may appoint and employ the professional, investigative, and clerical staff provided in the State budget. To the extent practicable, the State Prosecutor shall utilize the services and personnel of [the office of the Attorney General,] the Maryland State Police[,] and other established State and LOCAL law enforcement agencies. These agencies shall, to the extent feasible, cooperate with the State Prosecutor and his staff.~~