

[[CHIEF]] STATE PROSECUTOR

[[33A. CREATED; QUALIFICATIONS; TERM; SALARY

(A) THE OFFICE OF THE CHIEF STATE PROSECUTOR IS CREATED AS AN INDEPENDENT UNIT IN THE EXECUTIVE BRANCH AND IS ATTACHED FOR ADMINISTRATIVE PURPOSES TO THE OFFICE OF THE ATTORNEY GENERAL. THE CHIEF STATE PROSECUTOR SHALL BE APPOINTED BY THE GOVERNOR FROM AMONG THE PERSONS NOMINATED BY THE PROSECUTORS SELECTION COMMISSION FOR A TERM OF SIX YEARS AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIES.

(B) A PERSON IS NOT ELIGIBLE TO BE CHIEF STATE PROSECUTOR UNLESS, AT THE TIME OF HIS APPOINTMENT, HE HAS ACTIVELY AND LAWFULLY PRACTICED LAW IN MARYLAND FOR AT LEAST FIVE YEARS.

(C) THE CHIEF STATE PROSECUTOR SHALL RECEIVE THE SALARY PROVIDED IN THE STATE BUDGET, BUT NOT LESS THAN THE SALARY OF A JUDGE OF THE CIRCUIT COURT.

33B. DUTIES

(A) THE CHIEF STATE PROSECUTOR HAS THE DUTIES, POWERS, AND RESPONSIBILITIES SET FORTH IN THIS SECTION.

(B) EXCEPT WITH RESPECT TO OFFENSES ALLEGED TO BE COMMITTED BY HIMSELF OR MEMBERS OF HIS STAFF, HE HAS EXCLUSIVE JURISDICTION TO INVESTIGATE AND PROSECUTE

(1) CRIMINAL OFFENSES UNDER THE STATE ELECTION LAWS;

(2) CRIMINAL OFFENSES UNDER THE STATE CONFLICT OF INTEREST LAWS;

(3) VIOLATIONS OF THE STATE BRIBERY LAWS IN WHICH AN OFFICIAL OR EMPLOYEE OF THE STATE OR OF A POLITICAL SUBDIVISION OF THE STATE WAS THE OFFEROR OR OFFEREE, OR INTENDED OFFEROR OR OFFEREE, OF A BRIBE; AND

(4) OFFENSES CONSTITUTING CRIMINAL MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN OFFICE COMMITTED BY AN OFFICER OF THE STATE OR OF A POLITICAL SUBDIVISION OF THE STATE.

(C) HE MAY REFER A CASE OVER WHICH HE HAS EXCLUSIVE JURISDICTION TO A STATE PROSECUTOR FOR INVESTIGATION AND PROSECUTION.

(D) HE HAS CONCURRENT JURISDICTION WITH THE VARIOUS STATE PROSECUTORS TO INVESTIGATE AND PROSECUTE CRIMINAL ACTIVITY CONDUCTED OR COMMITTED PARTLY IN THIS