



## House Bill 856

### *State and Local Police Officers – Liability Insurance – Required*

MACo Position: **OPPOSE**

Date: February 23, 2016

To: Judiciary Committee

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** HB 856. The bill would impose a costly and challenging mandate on law enforcement officers and significantly increase the costs for county governments that provide reimbursement for an officer's liability insurance. The bill would also likely severely restrict future recruitment of law enforcement officers.

Among the bill's provisions is a prohibition on the Police Training Commission from certifying an individual as a police officer unless the individual provides proof of professional liability insurance that meet the cap limits under the Local Government Tort Claims Act or the Maryland Tort Claims Act. The coverage must cover both tortious and malicious acts.

MACo shares the concerns of the Treasurer's Office and the Maryland Insurance Administration that there is no commercially available individual policy in the country that meets the bill's requirements. If such a policy did provide coverage for both tortious and malicious acts, the premiums for such insurance would be extraordinarily high. Law enforcement officers would not be able to afford such coverage, forcing them to seek reimbursement from their employer – either the State or local governments. This will lead to a likely significant increase in local government costs.

The Local Government Insurance Trust (LGIT) states in the bill's fiscal note that insurance coverage is generally cheaper where there are multiple individuals under a single policy, due to a larger risk pool. Because HB 856 requires each law enforcement officer to acquire individual insurance, LGIT estimates the bill would result in a net increase in total premiums paid.

The bill would also severely restrict future recruitment of law enforcement officers in the state, as officers will seek employment in other states where individual liability insurance is not required.

HB 856 would impose an impractical and expensive mandate on law enforcement officers, significantly increase expenditures for counties that choose to reimburse officers for the base cost of their liability insurance, and reduce the ability of counties to recruit new officers. Accordingly, MACo urges the Committee to give HB 856 an **UNFAVORABLE** report.