



House Bill 890

State and Local Police Officers – Liability Insurance – Required

MACo Position: **OPPOSE**

To: Judiciary Committee

Date: March 12, 2015

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** HB 890. The bill would impose a costly and challenging mandate on law enforcement officers and significantly increase the costs of county governments that provide reimbursement for an officer's liability insurance.

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 concern of the Treasurer's Office, the Maryland Insurance Administration, and the Local Government Insurance Trust (LGIT) that no insurance company currently offers coverage for both tortious and malicious acts in Maryland. Even if available, 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.

As the bill's fiscal note indicates, a county government that chooses to reimburse their law enforcement officers for the liability insurance, even if it is only for the base rate as mandated by the bill, would face significant new costs. LGIT indicates that the current annual base rate for an *employed* law enforcement officer who has liability insurance under an employer's *pool* policy is \$819. HB 890 requires officers to obtain insurance prior to employment, forcing them to obtain *individual* coverage. Combined with the provision requiring coverage for malicious acts, the base rate would be far higher for even officers with spotless records.

HB 890 would impose an impractical and expensive mandate on law enforcement officers and significantly increase expenditures for counties that choose to reimburse officers for the base cost of their liability insurance. Accordingly, MACo urges the Committee to give HB 890 an **UNFAVORABLE** report.