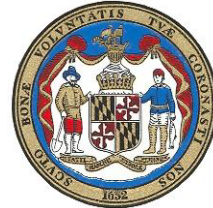




STATE OF MARYLAND
**OFFICE OF THE ATTORNEY
GENERAL**



STATE OF MARYLAND
**OFFICE OF THE STATE
TREASURER**

**Written Testimony on Behalf of
the Maryland Office of the Attorney General and
the Maryland State Treasurer's Office**

Senate Bill 271: Maryland Tort Claims Act – Employees of an Office of a Sheriff

Position: Favorable with Amendments

Senate Judicial Proceedings Committee

January 29, 2025

The Office of Attorney General (OAG) and the State Treasurer's Office (STO) have come together today to advocate in favor of Senate Bill 271 with amendments.

Senate Bill 271

Senate Bill 271 amends the Maryland Tort Claims Act to provide that an employee of the office of a sheriff of a county or Baltimore City is immune from certain liability in the same manner as a sheriff or deputy sheriff. The OAG and STO believe this is an appropriate amendment that clarifies coverage and representation of sheriffs' offices employees who are not deputy sheriffs.

This bill is another welcome effort to clarify responsibilities regarding tort coverage and representation with respect to sheriffs and their employees in the same manner as the bills that became Chapters [610](#) and [611](#) of the 2024 Laws of the State of Maryland. Those bills clarified that counties bear responsibility for all matters related to the performance by sheriffs and deputy sheriffs of a county or Baltimore City for "law enforcement functions" and "detention center functions" each as defined under Section 1 of such laws. Our only proposed amendment is to clarify that this bill is not an attempt to modify that arrangement.

Amendment

To preserve the 2024 clarification in the law, OAG and STO request an uncodified reference to legislative intent as reflected below. With this language, OAG and STO request that the Committee give Senate Bill 271 a favorable with amendments report. Please contact Kirstin Lustila, Assistant Attorney General, Maryland Sheriffs (klustila@oag.state.md.us), or Laura Atas, Deputy Treasurer for Public Policy (latas@treasurer.state.md.us), with any questions.

PROPOSED AMENDMENT

BY: Chair, Senate Judicial Proceedings Committee
(To be offered in the Senate Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 271 (First Reading File Bill)

On page 2, in line 8, after “That” insert “it is the intent of the General Assembly that this Act be interpreted in a manner that is consistent with Chapters 610 and 611 of the 2024 Acts of Maryland.”

SECTION 3. AND BE IT FURTHER ENACTED, That”.