

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

House Bill 217 (Delegate K. Kelly)

Judiciary

Local Government Tort Claims - Indemnification of Law Enforcement Officers

This bill specifies that a law enforcement officer, found guilty by an administrative hearing board for an act or omission, may not be indemnified for a judgement for punitive damages by a local government if the act or omission would constitute a felony under State law. Under current law, a local government may not indemnify an officer for punitive damages if the officer has been found guilty of any act or omission by an administrative hearing board.

The bill is to be construed only prospectively.

Fiscal Summary

State Effect: None.

Local Effect: Potential minimal increase in county and municipal expenditures. No effect on revenues.

Small Business Effect: None.

Fiscal Analysis

Local Effect: The bill authorizes a local government to indemnify a law enforcement officer for a judgement of punitive damages arising out of the commission of misdemeanors. The number of such cases cannot be reliably estimated at this time, but is believed to be minimal. County and municipal liability for the payment of judgements could increase as a result of the bill, therefore insurance premiums could increase. Any increase is expected to be minimal.

Information Source(s): Caroline County, Howard County, Montgomery County, Judiciary (Administrative Office of the Courts)

Fiscal Note History:

First Reader - February 10, 1999

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Revised - House Third Reader - March 24, 1999

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