

HOUSE BILL REPORT

HB 1383

As Reported By House Committee On:

Local Government

Title: An act relating to liability insurance for law enforcement personnel.

Brief Description: Authorizing local government purchase of liability insurance for law enforcement personnel.

Sponsors: Representatives Constantine, Delvin, Lambert, Esser, Linville, Pennington, O'Brien and Ogden.

Brief History:

Committee Activity:

Local Government: 2/4/99, 2/15/99 [DP].

Brief Summary of Bill

- Clarifies existing authorization for local governments to purchase liability insurance for employees and agents to expressly include law enforcement personnel.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 8 members: Representatives Mulliken, Republican Co-Chair; Scott, Democratic Co-Chair; Doumit, Democratic Vice Chair; Mielke, Republican Vice Chair; Edwards; Ericksen; Fisher and Fortunato.

Staff: Caroleen Dineen (786-7156).

Background:

Local governments are authorized by statute to purchase various types of insurance for their officials and employees. For example, counties and cities may purchase group false arrest insurance for their law enforcement personnel and liability insurance to protect counties and cities and their officers or employees from liability arising from injury or damage to or by offenders performing community service. Further, counties, cities and other local government entities may purchase liability insurance to protect their officials

and employees against liability claims arising from acts associated with performance of their duties.

Local governments may also purchase liability insurance to protect and hold personally harmless their officials and employees from claims arising out of their employment or duties. The governing board of a county, city, town, school district, port district, public utility district, sewer district, water district, irrigation district or other municipal corporation or political subdivision is authorized by statute to purchase liability insurance insuring any of its commissioners, council members, directors or other governing board members as well as its officers, employees and agents. The decision to purchase this liability insurance is within the discretion of the local governing boards.

Summary of Bill:

The authorization for purchasing liability insurance is clarified to expressly include law enforcement personnel. The governing board of a county, city, town, school district, port district, public utility district, sewer district, water district, irrigation district or other municipal corporation or political subdivision may purchase liability insurance insuring any of its commissioners, council members, directors or other governing board members as well as its officers, employees and agents, including but not limited to law enforcement personnel.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The purpose of the bill is to clarify cities and counties have authority to purchase liability insurance for police officers and deputy sheriffs. This bill will hopefully avoid situations such as the one in Douglas County in which two county sheriffs were not insured against punitive damages arising from arrests they had made.

Testimony Against: None.

Testified: Mike Patrick, Executive Director, Washington State Council of Police Officers.