

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB1765

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Loupassi

3. Committee: Courts of Justice

4. Title: Civil liability; sheriff.

5. Summary: Provides that a sheriff shall not be liable for civil damages resulting from any act or omission by a deputy sheriff in the performance of his duties as a deputy sheriff.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: No state fiscal impact; indeterminate local fiscal impact, see Item 8.

8. Fiscal Implications: Sheriffs and their deputies currently have liability coverage through the Division of Risk Management's (DRM) Constitutional Officers general liability program. Under current law, a claimant can sue both the deputy and the sheriff on the basis of the deputy's actions. DRM indicates that under the provisions of the bill, it would still defend the deputy in court and pay any settlement resulting from the lawsuit, but the final cost of claims and suits may be less due to the sheriff's exclusion.

It is unknown whether this legislation would create any long term savings to the Constitutional Officers general liability program. DRM currently bills the Compensation Board for the annual premiums of all Constitutional Officers in the general liability program. The Compensation Board then fully recovers the cost of the premiums from locality reimbursements for Constitutional Officers expenses. As a result, any change in premiums for this program would be a fiscal impact to localities.

9. Specific Agency or Political Subdivisions Affected: Department of the Treasury, Compensation Board, all localities

10. Technical Amendment Necessary: No.

11. Other Comments: None.

C: Secretary of Administration; Secretary of Finance

Date: January 20, 2015

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