

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 979
HOUSE BILL 806

AN ACT TO CREATE A STUDY COMMISSION TO DETERMINE THE BEST METHOD
FOR STATE, COUNTIES AND CITIES TO FURNISH LIABILITY INSURANCE
COVERAGE FOR LAW ENFORCEMENT OFFICERS.

The General Assembly of North Carolina enacts:

Section 1. Commission created, purpose. There is hereby created a Law Enforcement Officers Liability Insurance Study Commission. The commission shall make a thorough and comprehensive study on any and all aspects of liability insurance for State, county and city law enforcement officers. This study shall include but not be limited to the following:

- (1) The desirability and feasibility of providing liability insurance coverage for law enforcement officers to a maximum amount of coverage of one million dollars (\$1,000,000) to be provided by the employing agency.
- (2) The desirability and feasibility of establishing a State operated fund which would also be available to counties and cities to provide up to one million dollars (\$1,000,000) for all full-time law enforcement officers.
- (3) The desirability and feasibility of amending the statute of limitations applicable to tort liability of law enforcement officers acting within the scope of their employment.

Sec. 2. Appointment of membership; composition; tenure of office. The commission shall consist of 12 members who shall be appointed as follows: The Speaker of the House of Representatives shall appoint three members from the membership of the House of Representatives. The Lieutenant Governor shall appoint three members from the membership of the State Senate. The Governor shall appoint three members from the insurance industry and three members who are law enforcement officers. The members shall serve until the termination of the commission. If a vacancy occurs in the membership, the appointing authority shall appoint another person to serve until the termination of the commission. Members of the commission shall take office upon their appointment. The commission shall terminate upon the filing of a report with the General Assembly.

Sec. 3. Duty to report. The commission shall submit a written report and recommendations to the General Assembly on or before March 1, 1978.

Sec. 4. Organization of commission; employment of professional and clerical staff. The members of the commission shall elect one of their members as chairman and one of their members as vice-chairman. The chairman shall preside at all meetings of the commission and in his absence the vice-chairman shall act as chairman. The commission is authorized to employ such professional and clerical staff and assistants as are necessary in the performance and execution of its duties from such funds as shall be made available for this purpose.

Sec. 5. Compensation and reimbursement of members. (a) Legislative members of the commission shall be reimbursed for subsistence and travel expenses at the rates set out in G.S. 120-3.1 from funds available to the commission.

(b) The members of the commission who are not officers or employees of the State shall receive compensation and reimbursement for travel and subsistence expenses at the rate set out in G.S. 138-5 from funds available to the commission.

(c) The members of the commission who are officers or employees of the State shall receive reimbursement for travel and subsistence expenses at the rates set out in G.S. 138-6 from funds available to the commission.

Sec. 6. State departments and agencies to cooperate. Upon request of the commission, State departments and agencies shall provide the commission with any information and assistance that the commission shall deem helpful to its inquiry.

Sec. 7. There is hereby appropriated to the Law Enforcement Officers Liability Insurance Study Commission from the General Fund the sum of twenty thousand dollars (\$20,000) for fiscal year 1977-78.

Sec. 8. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.