

**SUBJECT:** Requiring certain counties to pay for auto insurance for peace officers

**COMMITTEE:** County Affairs — committee substitute recommended

**VOTE:** 7 ayes — Ramsay, G. Lewis, B. Brown, Chisum, Farabee, Krusee, Swinford  
0 nays  
2 absent — Hilderbran, Salinas

**WITNESSES:** For — Charlie Campos Jr., Bexar County Constables Association  
  
Against — Donald Lee, Conference of Urban Counties; Eric Riester, Bexar County  
  
On — Craig Pardue, Dallas County

**BACKGROUND:** Current law does not require a county with a population of 1.4 million or less to provide peace officers with motor vehicle liability insurance at county expense. Nor is a county of this size required to provide liability insurance for privately owned vehicles that are used for official duties.  
  
Bexar and Harris counties do not provide insurance for county peace officers, but Dallas County provides insurance for county-owned vehicles.

**DIGEST:** CSHB 108 would require a county with a population of 1,185,000 or more to provide liability insurance, at the county's expense, for its sheriff, constables, and full-time deputies while using county-owned or -leased or privately owned vehicles for official duties.  
  
The bill also would authorize the county commissioners court to adopt rules prohibiting or regulating the use of a privately owned vehicle by a sheriff, constable, or deputy for official duties. The commissioners could not regulate these officials' private use of privately owned vehicles.  
  
CSHB 108, because of its population bracket, would apply only to Bexar, Dallas, and Harris counties.

This bill would take effect September 1, 1999.

**SUPPORTERS  
SAY:**

CSHB 108 would require Harris and Bexar counties to include constables and their deputies in the county's auto liability plan. Both counties provide insurance for all other departments whose employees use private vehicles for official business.

Bexar and Harris counties do not provide county-owned vehicles for constables and their deputies to use for official business. Instead, those counties provide a monthly car allowance for those peace officers to use their personal vehicles for official business. This allowance does not cover the costs of maintenance, fuel, repairs, or insurance. Bexar County provides an \$800 monthly allowance and Harris County provides \$500 per month.

The bill also would authorize county commissioners to regulate the use of county-insured private vehicles. This would ensure that the county paid to insure vehicles only when they were used for official county business.

**OPPONENTS  
SAY:**

The monthly allowance now provided to the constables and their deputies is enough to cover all costs associated with using a personal vehicle for official county business. Bexar County spends \$44,000 to provide the monthly allowance. This bill would require Bexar County to spend an additional \$33,275 per year for liability insurance on 55 privately owned vehicles. Likewise, Harris County would have to spend an additional \$237,922 to provide insurance for 353 privately owned vehicles.

**NOTES:**

The original bill would not have authorized the commissioners court to regulate the use of privately owned vehicles for official business, nor would it have prohibited the regulation of private vehicles used for private business.