



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

August 13, 1998

S. 1031

Federal Law Enforcement Officers' Good Samaritan Act of 1998

As reported by the Senate Committee on the Judiciary on July 30, 1998

S. 1031 would limit the personal liability of federal law enforcement officers who respond to violent crimes outside their jurisdiction. In doing so, the bill would increase the liability of the federal government in such incidents. CBO expects that if the federal government is required to pay for any damages, then any claim of \$2,500 or less would be paid out of the appropriations available to the agency involved in the claim; claims that exceed \$2,500 would be paid as direct spending from the Claims, Judgments, and Relief Acts account. However, CBO estimates that enacting S. 1031 would result in no significant costs to the federal government because we expect few such incidents involving federal law enforcement officers to occur. Because this bill could affect direct spending, pay-as-you-go procedures would apply, but CBO expects that any such effects would be negligible.

S. 1031 would preempt certain state tort liability laws and other state and local laws and policies regarding the appropriate use of force by federal officers in responding to nonfederal crimes of violence. Such a preemption would be an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that this mandate would impose no costs on state, local, or tribal governments because its enactment would not require any expenditure of funds by these governments. S. 1031 contains no private-sector mandates as defined in UMRA.

The CBO staff contacts for this estimate are Susanne S. Mehlman (for federal costs), and Lisa Cash Driskill (for the state and local impact). This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.