

§ 58-31-25. Professional liability insurance for officials and employees of the State.

The State Fire Marshal may acquire professional liability insurance covering the officers and employees of any State department, institution, or agency upon the request of such State department, institution, or agency. Premiums for such insurance coverage shall be paid by the requesting department, institution, or agency at rates fixed by the State Fire Marshal from funds made available to it for the purpose. The State Fire Marshal, in placing a contract for such insurance is authorized to place such insurance through the Public Officers and Employees' Liability Insurance Commission, and shall exercise all efforts to place such insurance through the said commission prior to attempting to procure such insurance through any other source.

The State Fire Marshal, pursuant to this section, may acquire professional liability insurance covering the officers and employees of a department, institution, or agency of State government only if the coverage to be provided by such policy is coverage of claims in excess of the protection provided by Articles 31 and 31A of Chapter 143 of the General Statutes.

The purchase, by any State department, institution, or agency of professional liability insurance covering the law-enforcement officers, officers, or employees of such department, institution, or agency shall not be construed as a waiver of any defense of sovereign immunity by such department, institution, or agency. The purchase of such insurance shall not be deemed a waiver by any employee of the defense of sovereign immunity to the extent that such defense may be available to him.

The payment, by any State department, institution, or agency of funds as premiums for professional liability insurance through the plan provided herein, covering the law-enforcement officers or officials or employees of such department, institution, or agency is hereby declared to be for a public purpose. (1979, c. 206, s. 1; 1987, c. 864, s. 53; 1991, c. 720, s. 4; 2024-1, s. 6.4(a).)