

HOUSE No. 2508

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act providing indemnification for certain municipal employees..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 9 of Chapter 258 of the General Laws is hereby amended by
2 inserting the following paragraphs at the end of the section: -

3 If in the event a suit is commenced against an incumbent or former municipal chief
4 elected official; city or town manager; town administrator, executive secretary or administrative
5 assistant as defined by Chapter 41, Section 108N, or official performing the same duties with a
6 different title; or a municipal department head, including but not limited to the police chief, by
7 reason of a claim for damages resulting from an alleged intentional or negligent tort arising out
8 of his performance of the duties of his office, the city or town, at the request of said individual,
9 shall provide legal representation of said individual.

10 A city or town shall indemnify said individual from all financial loss and expenses,
11 including but not limited to reasonable legal fees and costs, if any, in an amount not to exceed
12 two million dollars arising out of any claim, action, award, compromise, settlement or judgment
13 resulting from any alleged tort or contract or civil rights violations; provided however, that this

14 section shall apply only where such alleged matter occurred within the scope of the individual's
15 official duties.

16 No individual shall be indemnified for any violation of federal or state law if such person
17 acted in a wanton or malicious manner.