

HOUSE No. 1879

By Mr. Valentine of Chelmsford (by request), petition of Wendess P. Harvey for legislation to provide for the indemnification by cities and towns of present and former officers thereof for damages and costs paid by them in court proceedings pertaining to their official acts. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT PROVIDING FOR THE INDEMNIFICATION BY CITIES AND TOWNS OF PRESENT AND FORMER OFFICERS THEREOF FOR DAMAGES AND COSTS PAID BY THEM IN COURT PROCEEDINGS PERTAINING TO THEIR OFFICIAL ACTS.

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

1 Chapter 41 of the General Laws is hereby amended
2 by inserting after section 100A the following new
3 section: —

4 *Section 100B.* If, in any form of proceeding, a
5 judgment or decree for money damages or costs is
6 entered against any officer of a city or town, elected
7 or otherwise, or against a person who formerly held
8 such office, as the result of an alleged illegal removal
9 or dismissal from office, position or employment in
10 such city or town or from an alleged illegal demotion,
11 suspension, reduction in pay or other act adversely

12 affecting such office, position or employment, such
13 city or town shall, if it has had reasonable notice of
14 the institution of such proceedings, exonerate, in-
15 demnify and save harmless the person so held liable
16 for payment of such damages or costs. Such city or
17 town may intervene as a party to such a proceeding,
18 but its failure to do so shall not affect its obligations
19 hereunder.