
By Mr. Bullock, a petition (accompanied by bill, Senate, No. 601) of John W. Bullock and the Mass. Selectmen's Assn., Inc., by C. Kenneth Osgood, president, for legislation to provide immunity to municipal officers against certain claims. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Four.

AN ACT TO PROVIDE IMMUNITY TO MUNICIPAL OFFICERS AGAINST CERTAIN CLAIMS.

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 Forty-One of the General Laws is hereby amended
2 by inserting after Section One Hundred H the following sec-
3 tion: —

4 *Section One Hundred I. Immunity of Municipal Officers.* No
5 municipal official shall be held liable for civil damages for any
6 vote, resolution or decision made by said person acting in his
7 official capacity or within the scope of his official duties or
8 employment.

9 All cities and town shall indemnify and save harmless
10 municipal officials from personal financial loss and expense in-
11 cluding reasonable legal fees and costs, if any, arising out
12 of any claim, demand, suit, or judgment by reason of any act
13 or omission constituting a violation of the civil rights of an
14 employee, teacher or student or any other person under any
15 federal law if such act or omission was not committed with
16 malice, and if the indemnified official at the time of such act
17 or omission was acting in his official capacity or within the
18 scope of his official duties or employment.

19 No attachment or trustee process shall be available or al-
20 lowed where immunity has been granted pursuant to this sec-
21 tion or where indemnification has been voted pursuant to
22 Section One Hundred E of this Chapter or where indemnifica-
23 tion is required pursuant to this section.

