

By Mr. Woods of Franklin, petition of George L. Woods, Jr., Henry R. Grenier, Robert A. Vigneau, John R. Driscoll and William G. Shaughnessy that municipal officers be granted immunity against certain claims. The Judiciary.

**The Commonwealth of Massachusetts**

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

**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 41 of the General Laws is hereby amended by  
2 inserting after Section 100H the following section:—

3 *Section 100I. Immunity of Municipal Officers.* No municipal  
4 official shall be held liable for civil damages for any vote,  
5 resolution or decision made by said person acting in his official  
6 capacity or within the scope of his official duties or employment.

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

17 No attachment or trustee process shall be available or allowed  
18 where immunity has been granted pursuant to this section or  
19 where indemnification has been voted pursuant to Section One  
20 Hundred E of this Chapter or where indemnification is required  
21 pursuant to this section.

1912

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