

By Messrs. Marotta of Medford and McGlynn of Medford, petition of the Massachusetts Association of Contributory Retirement Systems, Inc., Angelo Marotta and Michael J. McGlynn relative to indemnifying members of retirement boards for damages arising from official duties. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Three.

AN ACT INDEMNIFYING MEMBERS OF RETIREMENT BOARDS FOR DAMAGES ARISING FROM OFFICIAL DUTIES.

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

1 A city or town shall indemnify any members of a retirement
2 board for expenses or damages incurred by them in the defense or
3 settlement of a claim against them, which claim arose out of acts
4 performed by such members while acting within the scope of their
5 official duties, provided that the defense or settlement of such
6 claim shall have been made by the city solicitor or town counsel, or
7 by an attorney furnished by an insurer obligated under terms of a
8 policy of insurance to defend the members of the retirement board
9 against such claim. For the purposes of this section, the retirement
10 board may appropriate such funds as may be necessary from the
11 expense fund of the retirement system for effecting insurance
12 providing indemnity for any of the foregoing members.

