



General Assembly

January Session, 2005

Proposed Bill No. 5387

LCO No. 1460

Referred to Committee on Judiciary

Introduced by:

REP. CARSON, 108th Dist.

REP. GODFREY, 110th Dist.

AN ACT CONCERNING IMMUNITY FROM LIABILITY FOR STATE MARSHALS WHEN TRANSPORTING PERSONS IN CUSTODY IN PRIVATE MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 That chapter 78 of the general statutes be amended to provide that
2 no state marshal shall be held liable in any civil action for recovery of
3 damages for personal injury or damage to property brought by or
4 resulting from the actions of any person who is lawfully taken into
5 custody by the state marshal, pursuant to a *capias*, if such injury occurs
6 when such person, while in custody, is transported in a private motor
7 vehicle operated by the state marshal, that the state shall indemnify
8 and defend such state marshal for any claims resulting from the
9 damage or injury arising from such transport, and that such provisions
10 shall not apply for any injury caused by the wanton, wilful, reckless, or
11 malicious conduct of the state marshal.

Statement of Purpose:

To provide immunity from liability for state marshals using private vehicles to transport individuals taken into custody pursuant to support enforcement capias orders.