



General Assembly

Substitute Bill No. 1010

January Session, 2005

* SB01010VA_JUD030105 *

**AN ACT CONCERNING THE INDEMNIFICATION OF MEMBERS OF
THE ARMED FORCES OF THE STATE.**

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

1 Section 1. Section 4-165 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No state officer or employee shall be personally liable for
4 damage or injury, not wanton, reckless or malicious, caused in the
5 discharge of his or her duties or within the scope of his or her
6 employment. Any person having a complaint for such damage or
7 injury shall present it as a claim against the state under the provisions
8 of this chapter.

9 (b) For the purposes of this section, (1) "scope of employment" [shall
10 include,] includes but is not [be] limited to, (A) representation by an
11 attorney appointed by the Public Defender Services Commission as a
12 public defender, assistant public defender or deputy assistant public
13 defender or an attorney appointed by the court as a special assistant
14 public defender of an indigent accused or of a child on a petition of
15 delinquency, (B) representation by such other attorneys, referred to in
16 section 4-141, of state officers and employees in actions brought
17 against such officers and employees in their official and individual
18 capacities, (C) the discharge of duties as a trustee of the state
19 employees retirement system, (D) the discharge of duties of a

20 commissioner of the Superior Court hearing small claims matters or
21 acting as a fact-finder, arbitrator or magistrate or acting in any other
22 quasi-judicial position, [and] (E) the discharge of duties of a person
23 appointed to a committee established by law for the purpose of
24 rendering services to the Judicial Department, including, but not
25 limited to, the Legal Specialization Screening Committee, the State-
26 Wide Grievance Committee, the Client Security Fund Committee, the
27 advisory committee appointed pursuant to section 51-81d and the
28 State Bar Examining Committee, and (F) military duty performed by
29 the armed forces of the state while under state active duty; provided
30 [such] the actions described in subparagraphs (A) to (F), inclusive, of
31 this subdivision arise out of the discharge of the duties or within the
32 scope of employment of such officers or employees, [. For the purposes
33 of this section, members or employees] and (2) "state employee"
34 includes a member or employee of the soil and water district boards
35 established pursuant to section 22a-315. [shall be considered state
36 employees.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4-165

VA

Joint Favorable Subst. C/R

JUD