



Substitute House Bill No. 6057

Public Act No. 07-69

AN ACT CONCERNING THE INDEMNIFICATION OF AND THE IMPOSITION OF FEES ON STATE MARSHALS.

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

Section 1. Section 6-30a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) On and after December 1, 2000, each state marshal shall [be required to] carry personal liability insurance for damages caused by reason of such state marshal's tortious acts in not less than the following amounts: (1) For damages caused to any one person or to the property of any one person, one hundred thousand dollars; and (2) for damages caused to more than one person or to the property of more than one person, three hundred thousand dollars. For the purpose of this [section] subsection, "tortious act" means negligent acts, errors or omissions for which [such] a state marshal may become legally obligated to any damages for false arrest, erroneous service of civil papers, false imprisonment, malicious prosecution, libel, slander, defamation of character, violation of property rights or assault and battery if committed while making or attempting to make an arrest or against a person under arrest, [; provided, it shall] but does not include any such act unless committed in the performance of the official duties of such state marshal.

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(b) The state shall protect and save harmless any state marshal from financial loss and expense, including court costs and reasonable attorney's fees, arising out of any claim, demand or suit instituted against the state marshal for personal injury or injury to property by, or as a result of the actions of, any person who is lawfully taken into custody by the state marshal, pursuant to a capias issued by Support Enforcement Services of the Superior Court and directed to the state marshal, if such injury occurs when such person, while in such custody, is transported in a private motor vehicle operated by the state marshal. In the event a judgment is entered against the state marshal for a malicious, wanton or wilful act, the state marshal shall reimburse the state for any expenses incurred by the state in defending the state marshal and the state shall not be held liable to the state marshal for any financial loss or expense resulting from such act.

Sec. 2. (NEW) (*Effective October 1, 2007*) A state marshal shall not be charged any fee by a private entity for performing such state marshal's statutory duties.

Approved May 30, 2007