

HB 1602 -- CIVIL ACTIONS AGAINST PEACE OFFICERS

SPONSOR: Bosley

This bill specifies that a law enforcement officer who, under color of law, deprives an individual of his or her constitutional rights will be liable to the individual for legal or equitable relief, and statutory immunities and limitations on liability, damages, or attorneys' fees will not apply in these instances. An officer's employer will indemnify the officer for any liability incurred by the officer and for any judgment or settlement entered against the officer for claims arising under these provisions. However, if the officer's employer determines that the officer did not act in good faith and reasonable belief that his or her action was lawful, the officer will be personally liable and will not be indemnified by the officer's employer for 5% of the judgment or settlement or \$25,000, whichever is less. A civil action under these provisions must be commenced within two years of the cause of action accruing.