HOUSE DOCKET, NO. FILED ON: 1/13/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Charles A. Murphy, James Dwyer**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act preventing indemnification for willful, wanton, civil rights violations.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Charles A. Murphy | 21st Middlesex |
| James Dwyer | 30th Middlesex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1602 OF 2007-2008.]

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act preventing indemnification for willful, wanton, civil rights violations.

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

 SECTION 1.  Section 9 of Chapter 258 of the General Laws is hereby amended by striking the words ‘shall’ in line 1 and inserting the word ‘may’ in its place.

SECTION 2:  Section 9 of Chapter 258 of the General Laws is hereby further amended by striking the words “or omission which constitutes a violation of the civil rights of any person under any federal or state law, if such employee or official or holder of office under the constitution at the time of such intentional tort or such act or omission was acting within the scope of his official duties or employment” in the first sentence.

SECTION 3:  Section 9 of Chapter 258 of the General Laws is hereby further amended by striking the words “other than a person holding office under the constitution acting within the scope of his official duties or employment” and the words “any such” in the second sentence.