

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES

In the Year Nineteen Hundred and Ninety-Nine

Ordinance 99-13

To accept Massachusetts General Laws, Chapter 258, the Massachusetts Tort Claims Act, for the purposes of indemnifying public employees of the County.

Barnstable County hereby ordains:

Section 1.

Barnstable County hereby accepts the provisions of Massachusetts General Laws (M.G.L.), Chapter 258 for the purposes of indemnifying all public employees as that term is defined by statute from personal financial loss and expenses, including legal fees and costs, if any, in an amount not to exceed one-million dollars. Said indemnification shall arise out of any claim, action, award, compromise, settlement or judgment by reason of an intentional tort, or by reason of any act or omission which constitutes a violation of the civil rights of any person under any federal or state law, if such employee, or official at the time of such intentional tort or such act or omission, was acting within the scope of his official duties or employment.

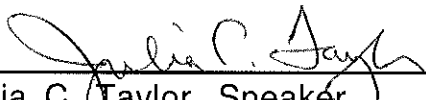
Section 2.

No such employee or official shall be indemnified under M.G.L., Chapter 258 for violation of any such civil rights if he or she acted in a grossly negligent, willful or malicious manner.

Section 3.

The acceptance of M.G.L., Chapter 258 through this Ordinance shall be retroactive to include any and all claims, actions, losses or expenses that have been asserted as of the date of passage of this Ordinance.

Adopted on October 6, 1999 by the Assembly of Delegates.



Julia C. Taylor, Speaker

Oct. 20, 1999

10:55 a.m.

Approved by the Board of County Commissioners, _____, at, _____.

Date

Time

