

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

**MR. SPEAKER:**

I move that House Bill 1034 be amended to read as follows:

- 1 Page 7, between lines 9 and 10, begin a new paragraph and insert:
- 2 "SECTION 6. IC 34-4-11.2 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 1998]:
- 5 **Chapter 11.2. Immunity from Civil Liability for Elected**
- 6 **Officials**
- 7 **Sec 1. As used in this chapter, "elected official" means a person**
- 8 **elected to an office in a:**
- 9 **(1) city;**
- 10 **(2) county;**
- 11 **(3) municipality;**
- 12 **(4) town; or**
- 13 **(5) township.**
- 14 **Sec. 2. An elected official is not liable, in an individual**
- 15 **capacity, for an act or omission that occurs in connection with the**
- 16 **performance of the duties of the official's elected office, unless the**
- 17 **act or omission constitutes gross negligence or an intentional**
- 18 **disregard of the official's duties.**
- 19 **Sec. 3. This chapter does not affect the civil liability of the:**
- 20 **(1) city;**
- 21 **(2) county;**
- 22 **(3) municipality;**
- 23 **(4) town; or**
- 24 **(5) township;**

- 1 **where the elected official holds office."**
- 2       Renumber all SECTIONS consecutively.  
      (Reference is to HB 1034 as printed January 15, 1998.)

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Representative Ripley