

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WITHDRAWN	Noes _____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

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

**MR. SPEAKER:**

I move that House Bill 1034 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

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

1           **(3) municipality;**  
2           **(4) town; or**  
3           **(5) township;**  
4       **where the elected official holds office.**

5           **Sec. 4. This chapter does not grant immunity in connection**  
6       **with the performance of a fiscal duty of the official's elected**  
7       **office.".**

8           Renumber all SECTIONS consecutively.

          (Reference is to HB 1034 as printed January 15, 1998, and as  
amended on motion of Representative Ayres adopted January 20, 1998,  
and on motion of Representative Ripley adopted January 20, 1998.)

---

Representative Ayres



Adopted

Rejected

# COMMITTEE REPORT

MR. SPEAKER:

Your Committee of One, to which was referred House Bill 1034, begs leave to report that said bill has been amended as directed.

---

Representative Ayres