

### **IC 12-21-3**

#### Chapter 3. Personnel of Division

### **IC 12-21-3-1**

#### **Application of IC 4-15-2**

Sec. 1. Except as provided in IC 4-15-2-3.8, IC 4-15-2 applies to all employees of the division.

*As added by P.L.2-1992, SEC.15.*

### **IC 12-21-3-2**

#### **Civil or criminal liability; action or proceeding; defense; damages**

Sec. 2. (a) If a member, an officer, or an employee of the division is accused of an offense or sued for civil damages because of an act performed within the course of the individual's employment or because of an act performed under the authority or order of a superior officer, the attorney general shall defend the individual in an action for civil damages. If the action or proceeding is criminal in nature, the governor shall designate counsel to represent and defend the accused and the state is financially responsible for the expense of the defense.

(b) This section does not do either of the following:

- (1) Deprive an individual of the right to select defense counsel of the individual's choice at the individual's expense.
- (2) Relieve a person from responsibility for civil damages.

*As added by P.L.2-1992, SEC.15.*

### **IC 12-21-3-3**

#### **Performance bonds and crime policies**

Sec. 3. (a) An officer or employee of the division shall, as the director requires, furnish a bond or crime policy endorsed to include faithful performance in the amount the director determines payable to the state and conditioned upon the faithful performance of the individual's duties.

(b) The bonds or crime policies are subject to approval by the insurance commissioner and shall be filed in the office of the secretary of state.

(c) The premiums for the bonds are payable from the money of the division.

(d) The director may secure a standard form blanket bond or crime insurance policy endorsed to include faithful performance covering all or any part of the officers and employees of the department. However, the blanket bond or crime insurance policy must be in an amount not less than fifty thousand dollars (\$50,000).

(e) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section.

*As added by P.L.2-1992, SEC.15. Amended by P.L.49-1995, SEC.8.*

### **IC 12-21-3-4**

#### **Authorization to administer oaths, take depositions, and certify to official acts**

Sec. 4. The director, deputy directors, bureau heads of the division, and the superintendents of the state institutions administered by the division may administer oaths, take depositions, and certify to official acts.

*As added by P.L.2-1992, SEC.15.*