

HOUSE BILL NO. 395

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DONLEY

Introduced: 1/14/92

Referred: Community & Regional Affairs, Labor & Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring public employers to indemnify public employees for injuries occurring
2 within the scope of employment."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 29.20 is amended by adding a new section to read:

5 Sec. 29.20.650. INDEMNIFICATION OF EMPLOYEES. Unless the rights and
6 obligations of employees and the municipality are otherwise set out in a collective bargaining
7 agreement, the municipality shall provide legal defense and pay judgments entered against a
8 municipal employee sued for injuries occurring during the performance and within the scope of
9 the employee's duty. Unless the municipality has entered into a written obligation providing
10 otherwise, a municipality is not obligated to indemnify an employee for acts of intentional or
11 wilful misconduct or to pay an award of punitive damages entered against an employee.

12 * Sec. 2. AS 39.90 is amended by adding a new section to read:

13 Sec. 39.90.160. INDEMNIFICATION OF EMPLOYEES. Unless the rights and
14 obligations of employees and a public employer are otherwise set out in a collective bargaining

1 agreement, the employer shall provide legal defense and pay judgments entered against a public
2 employee sued for injuries occurring during the performance and within the scope of the
3 employee's duty. Unless the public employer has entered into a written obligation providing
4 otherwise, the employer is not obligated to indemnify an employee for acts of intentional or
5 wilful misconduct or to pay an award of punitive damages entered against an employee.