

**Local Law \_\_ of 2022**  
**Defense and Indemnification of Town Officers and Employees**

Be it enacted by the Town Board of the Town of Hurley as follows:

**1. Title.**

This chapter shall be entitled "Defense and Indemnification of Town Officers and Employees."

**2. Intent.**

The Town Board of the Town of Hurley has determined that in order to ensure the continued and future service of responsible and capable individuals as officials and employees of the Town of Hurley, it is necessary and proper to assure their protection against individual liability for actions taken in good faith within the scope of their duties and employment.

**3. Applicability of statutory provisions; conferral of benefits.**

The Town Board hereby adopts § 18 of the Public Officers Law and confers the benefits thereof upon all Town officers and employees. The Town agrees to liability for the costs to defend, indemnify and hold harmless its officers and employees under § 18 of the Public Officers Law.

**4. Appointment of outside counsel**

In addition to the provisions of § 18 of the Public Officers Law, the Town Board and the Town Attorney of the Town of Hurley may authorize outside counsel to defend an employee or officer pursuant to this chapter, regardless whether there is a conflict of interest with the Town Attorney or any other Town official or employee.

**5. Alleged civil rights violations**

Pursuant to this Chapter, the Town shall provide for the defense of any Town officer or employee in any civil action or proceeding arising out of any alleged act or omission in which it is alleged that the officer or employee has violated the civil rights of the claimant, petitioner or plaintiff under Sections 1981 and 1983 of Title 42 of the US Code. The Town shall indemnify and save harmless such officer or employee in the amount of any judgment or settlement of claim, except for punitive or exemplary damages obtained against such officer or employee. Such legal defense and indemnification shall be provided where the officer or employee, at the time of such alleged act or omission, was acting in good faith and within the scope of his public employment, powers or

duties. The provisions of this section shall be in addition to any other statute, local law or enactment providing legal defense and indemnification in civil actions brought against such officer or employee.

## **6. Effective Date**

This law shall take effect upon its filing with the Secretary of State.