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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY -
GOVERNMENTAL TORT LIABILITY

Introduced By: Representatives Gemma, Jacquard, Marcello, and Gallison

Date Introduced: January 28, 2010

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 9-31 of the General Laws entitled "Governmental Tort Liability" is
2 hereby amended by adding thereto the following section:

3 **9-31-3.1. Tort liability restrictions - Towns, city or fire districts. --** A city, town, or
4 fire district employee or official can be sued in their individual capacity, if it can be established
5 that their act or omission, upon which the cause of act was based, was not performed within the
6 scope of their employment or involved actual fraud or malice or willful misconduct.

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY -
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- 1 This act would prohibit lawsuits against city, town or fire district officials or employees,
- 2 in their personal capacity unless the act or omission was not performed within the scope of their
- 3 employment or involved actual fraud or malice or willful misconduct.
- 4 This act would take effect upon passage.

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