

1 H.369

2 Introduced by Representative Zagar of Barnard

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; municipal liability; actions against town
6 residents who sign petitions

7 Statement of purpose of bill as introduced: This bill proposes to require a
8 municipality to assume reasonable legal fees to defend an action against a town
9 resident who petitions town government.

10 An act relating to actions against town residents who petition town
11 government

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 24 V.S.A. § 901 is amended to read:

14 § 901. ACTIONS BY OR AGAINST TOWN OFFICERS AND TOWN

15 RESIDENTS

16 (a) Where an action is given to any appointed or elected municipal officer
17 ~~or~~, town school district officer, or any town resident who petitions town
18 government on a matter related to town business, the action shall be brought in
19 the name of the town in which the officer serves ~~and~~, in the case of a town
20 school district officer in the name of the town school district, and in the case of

1 a town resident in the name of his or her town of residence. If the action is
2 given against such officers or resident, it shall be brought against such town or
3 town school district, as the case may be.

4 (b) The municipality shall assume all reasonable legal fees incurred by an
5 officer when the officer was acting in the performance of his or her duties and
6 did not act with any malicious intent.

7 (c) A town resident who petitions town government on a matter related to
8 town business against whom an action is given for that petition shall be
9 covered under the town's policy of liability insurance for that action.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2013.