

669.14A Qualified immunity.

1. Notwithstanding any other provision of law, an employee of the state subject to a claim brought under [this chapter](#) shall not be liable for monetary damages if any of the following apply:

a. The right, privilege, or immunity secured by law was not clearly established at the time of the alleged deprivation, or at the time of the alleged deprivation the state of the law was not sufficiently clear that every reasonable employee would have understood that the conduct alleged constituted a violation of law.

b. A court of competent jurisdiction has issued a final decision on the merits holding, without reversal, vacatur, or preemption, that the specific conduct alleged to be unlawful was consistent with the law.

2. The state or a state agency shall not be liable for any claim brought under [this chapter](#) where the employee was determined to be protected by qualified immunity under [subsection 1](#).

3. A plaintiff who brings a claim under [this chapter](#) alleging a violation of the law must state with particularity the circumstances constituting the violation and that the law was clearly established at the time of the alleged violation. Failure to plead a plausible violation or failure to plead that the law was clearly established at the time of the alleged violation shall result in dismissal with prejudice.

4. Any decision by the district court denying qualified immunity shall be immediately appealable.

5. [This section](#) shall apply in addition to any other statutory or common law immunity.
[2021 Acts, ch 183, §12, 16](#)

NEW section