

718C.8 Civil immunity for and indemnification of state officials, employees, and contractors.

1. Except as provided by [subsection 4](#), an elected or appointed state official, or a state employee or contractor, is immune from liability for damages arising from a cause of action under state law resulting from an action taken by the official, employee, or contractor to enforce [this chapter](#) during the course and scope of the official's, employee's, or contractor's office, employment, or contractual performance for or service on behalf of the state.

2. Except as provided by [subsection 4](#), the state shall indemnify an elected or appointed state official or a state employee or contractor for damages arising from a cause of action under federal law resulting from an action taken by the official, employee, or contractor to enforce [this chapter](#) during the course and scope of the official's, employee's, or contractor's office, employment, or contractual performance for or service on behalf of the state.

3. Notwithstanding any other law, an indemnification payment made under [subsection 2](#) is not subject to an indemnification limit under the laws of this state.

4. [Subsections 1 and 2](#) do not apply if the court or jury determines that the state official, employee, or contractor acted in bad faith, with conscious indifference, or with recklessness.

5. The state shall indemnify a state official, employee, or contractor for reasonable attorney fees incurred in defense of a criminal prosecution against the official, employee, or contractor for an action taken by the official, employee, or contractor to enforce [this chapter](#) during the course and scope of the official's, employee's, or contractor's office, employment, or contractual performance for or service on behalf of the state.

6. A state official, employee, or contractor who may be entitled to indemnification under [subsection 2](#) is entitled to representation by the attorney general in an action in connection with which the official, employee, or contractor may be entitled to that indemnification.

7. [This section](#) shall not be construed to waive any statutory limits on damages under state law.

[2024 Acts, ch 1020, §8](#)

Referred to in [§718C.9](#)