718C.7 Civil immunity for and indemnification of local government officials, employees, and contractors.

1. Except as provided by subsection 4, a local government official, 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 local government.

2. Subject to subsection 3 and except as provided by subsection 4, a local government shall indemnify an official, employee, or contractor of the local government 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 local government.

3. Indemnification payments made under subsection 2 by a local government shall not exceed the following:

a. One hundred thousand dollars to any one person or three hundred thousand dollars for any single occurrence in the case of personal injury or death.

b. Ten thousand dollars for a single occurrence of property damage.

4. Subsections 1 and 2 do not apply if the court or jury determines that the local government official, employee, or contractor acted in bad faith, with conscious indifference, or with recklessness.

5. A local government shall indemnify an official, employee, or contractor of the local government 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 local government.

6. This section shall not be construed to waive any statutory limits on damages under state law.

2024 Acts, ch 1020, §7
Referred to in §718C.9