

150.097 Indemnification by the Commonwealth of conservation officer who is sued in his or her individual capacity and personally suffers financial loss -- Indemnification contingent upon findings that the act or omission which resulted in liability was lawful and proper and within the officer's scope and course of employment -- Indemnification does not abrogate, limit, or constitute a waiver of any privilege, immunity, or matter of defense otherwise available to the conservation officer.

- (1) Any conservation officer who is sued for any act or omission in the line of duty and who has a judgment for monetary damages rendered against him or her in his or her individual capacity, and who personally suffers actual financial loss, unreimbursed from any source, by the enforcement and satisfaction of the judgment, including any costs or attorney fees awarded pursuant thereto, shall be indemnified by the Commonwealth, from funds appropriated to the fish and game fund for the payment of judgments, to the extent of his or her actual financial loss.
- (2) The indemnification shall be contingent upon an express determination by the commissioner that the act or omission which resulted in liability was within the scope and course of employment of the conservation officer, and occurred during the performance of duty, and was committed or omitted in the good faith belief that the act or omission was lawful and proper.
- (3) The indemnification shall not be construed to abrogate or limit any privilege, immunity, or matter of defense otherwise available to the conservation officer and shall not constitute a waiver of any privilege, immunity, or matter of defense, including the sovereign immunity of the Commonwealth.

Effective: June 27, 2019

History: Created 2019 Ky. Acts ch. 167, sec. 3, effective June 27, 2019.