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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY -
GOVERNMENTAL TORT LIABILITY

Introduced By: Representatives Marcello, Hearn, and Nunes

Date Introduced: February 12, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 9-31 of the General Laws entitled "Governmental Tort Liability" is
2 hereby amended by adding thereto the following section:

3 **9-31-3.1. Tort liability restrictions - Town, city or fire districts.** -- A city, town, or fire
4 district employee or official may be sued in his or her individual capacity, only if it can be
5 established that his or her act or omission, upon which the cause of action was based, was not
6 performed within the scope of his or her employment or it involved actual fraud, malice or willful
7 misconduct.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY -
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1 This act would restrict the tort liability of city, town or fire district employees or officials
2 to those acts or omissions not performed within the scope of their employment or if actual fraud,
3 malice or willful misconduct is involved.

4 This act would take effect upon passage.

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