

SECOND REGULAR SESSION

HOUSE BILL NO. 1973

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANZ.

Read 1st time February 4, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4885L.01I

AN ACT

To amend chapter 169, RSMo, by adding thereto one new section relating to the indemnification of the public school and public education employee retirement systems.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 169, RSMo, is amended by adding thereto one new section, to be
2 known as section 169.562, to read as follows:

3 **169.562. 1. To the extent determined appropriate by the board of trustees, the**
4 **retirement system established under sections 169.020 and 169.610 may indemnify and**
5 **protect any trustee or employee of the retirement system against any or all claims or**
6 **liabilities, including defense thereof arising out of his or her responsibilities with respect**
7 **to the retirement system, provided, however, that no trustee or employee shall be**
8 **indemnified for his or her gross negligence or willful misconduct. This section shall apply**
9 **whether the claim is made against the employee or trustee in his or her individual or**
10 **official capacity.**

11 **2. The board of trustees is authorized to obtain and maintain insurance and**
12 **indemnity policies to insure the trustees and employees of the retirement system against**
13 **any liability or losses incurred as a result of their responsibilities with respect to the**
14 **retirement system.**

15 **3. No employee or trustee shall be entitled to indemnification under this section**
unless within fifteen days after receipt of service of process he or she gives written notice
of such proceeding to the board of trustees.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.