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## DIGEST

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HB 48 Original

2020 First Extraordinary Session

Jordan

**Abstract:** Prohibits qualified immunity from officers as a defense in certain cases

Present law (R.S. 9:2793.1) provides for civil liability immunity for officers for destruction of property caused while the officer was acting within the course and scope of employment and if necessary to abate a public emergency.

Present law (R.S. 9:2798.1) provides for civil liability immunity for policymaking or discretionary acts or omissions by public entities. Present law exempts acts or omissions not reasonably related to the legitimate governmental objective or to criminal or intentional misconduct.

Present law (R.S. 9:2800.10) provides for civil liability immunity for damages sustained by a perpetrator of a felony offense during the commission of the offense or while fleeing the scene. Present law exempts intentional acts involving the use of excessive force.

Proposed law retains present law and provides that qualified immunity does not apply as a defense for claims of wrongful death or physical injury caused by law enforcement officers.

(Amends R.S. 9:2800.10(C); Adds 9:2793.1(D), 2798.1(E) and 2800.10(D))