

1 AN ACT concerning civil immunities.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Local Governmental and Governmental
5 Employees Tort Immunity Act is amended by changing Section
6 2-302 as follows:

7 (745 ILCS 10/2-302) (from Ch. 85, par. 2-302)

8 Sec. 2-302. If any claim or action is instituted against
9 an employee of a local public entity based on an injury
10 allegedly arising out of an act or omission occurring within
11 the scope of his employment as such employee, the entity may
12 elect to do any one or more of the following:

- 13 (a) Appear and defend against the claim or action;
- 14 (b) Indemnify the employee or former employee for his
15 court costs or reasonable attorney's fees, or both, incurred
16 in the defense of such claim or action;
- 17 (c) Pay, or indemnify the employee or former employee
18 for a judgment based on such claim or action, or
- 19 (d) Pay, or indemnify the employee or former employee
20 for, a compromise or settlement of such a claim or action.

21 It is hereby declared to be the public policy of this
22 State, however, that no local public entity may elect to
23 indemnify an employee for any portion of a judgment
24 representing an award of punitive or exemplary damages.

25 (Source: P.A. 84-1431.)

26 Section 99. Effective date. This Act takes effect upon
27 becoming law.