

## CHAPTER 220—S.F.No. 58

*An act relating to local governments; permitting local governments to require the payment of legal fees incurred by peace officers who are the subject of investigation by a civilian review authority; amending Minnesota Statutes 1992, section 471.44.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1992, section 471.44, is amended to read:

**471.44 MUNICIPALITIES TO FURNISH COUNSEL TO DEFEND PUBLIC OFFICIALS.**

Subdivision 1. COSTS IN DEFENSE OF LEGAL ACTION. On and after the passage of Laws 1937, chapter 442, every city, town, or county of this state employing sheriffs, police officers, or peace officers shall be required to furnish legal counsel to defend any sheriff, deputy sheriff, police officer, or peace officer employed by any such governmental subdivision in all actions brought against such officer to recover damages for alleged false arrest or alleged injury to person, property or character, when such alleged false arrest or alleged injury to person, property or character was the result of an arrest made by such officer in good faith and in the performance of official duties and pay the reasonable costs and expenses of defending such suit, including witness fees and reasonable counsel fees, notwithstanding any contrary provisions in the laws of this state or in the charter of any such governmental subdivision.

Subd. 2. COSTS IN DEFENSE OF CIVILIAN COMPLAINTS. A home rule charter or statutory city, town, or county that establishes a peace officer civilian review authority to review civilian complaints about alleged peace officer misconduct shall pay the reasonable costs of legal counsel and reasonable fees incurred by the officer in defending against a complaint after probable cause is found if the complaint is not upheld at a hearing before the authority. If a complaint against a peace officer is sustained, no payment may be made under this subdivision.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day after final enactment.

Presented to the governor May 14, 1993

Signed by the governor May 17, 1993, 10:57 a.m.

New language is indicated by underline, deletions by ~~strikeout~~.