
DIGEST

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HB 418 Original

2026 Regular Session

Carlson

Abstract: Provides for defense and indemnification for officials, officers, and employees of a political subdivision

Present law (R.S. 13:5108.1) provides for the defense and indemnification of certain individuals who are officials, officers, and employees of the state for actions taken while in their official capacity.

Present law excludes officials, officers, and employees of a political subdivision from the right to receive a defense and indemnification for actions taken while in their official capacity.

Present law (R.S. 13:5102) defines "political subdivision" as any parish, municipality, special district, school board, sheriff, public board, institution, department, commission, district, corporation, agency, authority, or an agency or subdivision of any of these, and other public or governmental body of any kind which is not a state agency.

Proposed law provides for the defense and indemnification of officials, officers, and employees of a political subdivision by the political subdivision provided that the official, officer, or employee acted in good faith and not in a manner opposed to the best interests of the political subdivision.

Proposed law provides for the reimbursement of expenses and attorney fees expended in defending a civil action or proceeding upon a successful ruling on the merits.

Proposed law provides that the indemnification is not exclusive to any other rights the official, officer, or employee is otherwise entitled to while acting in their official capacity.

Proposed law provides that the political subdivision may purchase insurance on behalf of an official, officer, or employee of a political subdivision regardless of whether indemnification would be appropriate.

(Adds R.S. 13:5108.1.1)