

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 1093
HOUSE BILL 1169

1 AN ACT TO AMEND CHAPTER 160 OF THE GENERAL STATUTES TO AUTHORIZE
2 MUNICIPALITIES AND COUNTIES TO PROVIDE FOR THE DEFENSE OF THEIR
3 EMPLOYEES AND OFFICIALS.
4

5 The General Assembly of North Carolina do enact:
6

7 **Section 1.** Article 2 of Chapter 160 of the General Statutes is hereby amended by
8 inserting therein a new Part to be designated as Part 7 and to read as follows:

9 "Part 7. Defense of Employees and Officials.

10 "**G.S. 160-28.1. Defense of Employees and Officials.** Upon request made by or in behalf of
11 any employee or official, or former employee or official, any municipality or county may
12 provide for the defense of any civil or criminal action or proceeding brought against him either
13 in his official or in his individual capacity, or both, on account of any act done or omission
14 made, or any act allegedly done or omission allegedly made, in the scope and course of his
15 employment or duty as an employee or official of such municipality or county. Such defense
16 may be provided by the municipality or county by its own counsel, or by employing other
17 counsel, or by purchasing insurance which requires that the insurer provide the defense.
18 Providing for a defense pursuant to this Section is hereby declared to be for a public purpose,
19 and the expenditure of funds therefor is hereby declared to be a necessary expense. Nothing in
20 this Section shall be deemed to require any municipality or county to provide for the defense of
21 any action or proceeding of any nature."

22 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

23 **Sec. 3.** This Act shall be effective upon its ratification.

24 In the General Assembly read three times and ratified, this the 3rd day of July, 1967.