

**181.970 EMPLOYEE INDEMNIFICATION.**

Subdivision 1. **Indemnification required.** An employer shall defend and indemnify its employee for civil damages, penalties, or fines claimed or levied against the employee, provided that the employee:

- (1) was acting in the performance of the duties of the employee's position;
- (2) was not guilty of intentional misconduct, willful neglect of the duties of the employee's position, or bad faith; and
- (3) has not been indemnified by another person for the same damages, penalties, or fines.

Subd. 2. **Exception.** Subdivision 1 does not apply to:

- (1) employees of the state or a municipality governed by section 3.736 or 466.07;
- (2) employees who are subject to a contract or other agreement governing indemnification rights;
- (3) employees and employers who are governed by indemnification provisions under section 302A.521, 317A.521, or 322C.0408, or similar laws of this state or another state specifically governing indemnification of employees of business or nonprofit corporations, limited liability companies, or other legal entities; or
- (4) indemnification rights for a particular liability specifically governed by other law.

**History:** 1993 c 216 s 1; 2005 c 69 art 3 s 18; 2014 c 157 art 2 s 2,29,31