*** § 50-j. Civil actions against correction employees.** 1. As used in this section:

a. "Member" means any active or retired member of the uniformed force as well as any person employed by or retired from the correction department of a city. It also means any employee of such department whose employment has been suspended for budgetary reasons.

b. "Corporation Counsel" means the corporation counsel or chief legal officer of a city.

c. "Department" means the correction department of a city that employs the member.

d. "City" means the particular city that employs the member.

2. No civil action shall be brought in any court of the state, except by the corporation counsel on behalf of the city, against any member of the department, in his personal capacity, for damages arising out of any act done or the failure to perform any act that was (a) within the scope of the employment and in the discharge of the duties by such member and (b) was not in violation of any rule or regulation of the department or of any statute or governing case law of the state at the time the alleged damages were sustained.

3. Any claim for damages arising out of any act done or the failure to perform any act within the scope of the employment and in the discharge of the duties of any member of the department shall be brought and maintained in the supreme court as a claim against the city.

4. The city shall save harmless and indemnify any member of the department from financial loss resulting from a claim filed in a court of the United States for damages arising out of an act done or the failure to perform any act that was (a) within the scope of the employment and in the discharge of the duties of such member, and (b) was not in violation of any rule or regulation of the department or of any statute or governing case law of the state or of the United States

at the time the alleged damages were allegedly sustained, provided that the member shall comply with the provisions of subdivision five of this section.

5. The member shall deliver, within ten days of the time he is served with any summons, complaint, process, notice, demand or pleading, the original or copy thereof to the corporation counsel, and request the corporation counsel to assume control of his representation. The corporation counsel upon receipt of any such summons, complaint, process, notice, demand or pleading may assume control of the representation of the member. Upon the corporation counsel assuming such control, the member shall cooperate fully with the corporation counsel.

6. This section shall not in any way impair, limit or modify the rights and obligations of any insurer under any policy of insurance.

7. The benefits of subdivision four shall inure only to members of the department and shall not enlarge or diminish the rights of any other party.

8. This section shall apply with respect to claims arising on or after the effective date of this section.

9. The provisions of this section shall not apply to the city of New York.

* NB There are 2 § 50-j's