§ 357-c. Indemnification and defense under shared services agreement. 1. The authority shall defend any unit, entity, officer or employee of the department, using the forces of the department of law pursuant to section three hundred sixty-two of this title in any action, proceeding, claim, demand or the prosecution of any appeal arising from or occasioned by the acts or omissions to act in the performance of the functions of the authority pursuant to a shared services agreement.

2. Defense pursuant to subdivision one of this section shall be conditioned upon the full cooperation of the department.

3. The authority shall indemnify and hold harmless any unit, entity, officer or employee of the department in the amount of any judgment obtained against the department or in the amount of any settlement the department enters into with the consent of the authority for any and all claims, damages or liabilities arising from or occasioned by the acts or omissions to act of the authority or its subsidiaries pursuant to a shared services agreement; provided, however, that the act or omission from which such judgment or settlement arose occurred while the authority or its subsidiaries was acting within the scope of its functions pursuant to a shared services agreement. No such settlement of any such action, proceeding, claim or demand shall be made without the approval of the board or its designee.

4. Any claim or proceeding commenced against any unit, entity, officer or employee of the authority that arises pursuant to any shared services agreement shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the authority, or to impair, alter, limit, modify, abrogate or restrict any right to defense and indemnification provided for any governmental officer or employee by, in accordance with, or by reason of, any other provision of state or federal statutory or common law.

5. This section shall not in any way affect the obligation of any claimant to give notice to the state and the authority under section ten and section eleven of the court of claims act or any other provision of

law provided, however, that notice served upon the state or the authority shall be valid notice on both parties to the agreement, when such claim arises out of such agreement. The state and authority shall notify each other when they receive a notice of claim, notice of intention to make a claim or a claim arising out of such agreement.

6. The provisions of this section shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any insurance agreement.

7. Notwithstanding any other provision of law, when employed pursuant to a shared services agreement, employees of the authority, and its subsidiaries and the department shall be deemed employees of all such entities and the state for purposes of the workers' compensation law.