

2020 STATE LEGISLATION ADDRESSING QUALIFIED IMMUNITY

State	Legislation	Effect	Status
Colorado	S.B. 217 (2020)	Provides a state constitutional claim for violations of civil rights by police officers; abolishes qualified immunity as a defense in these cases; provides partial indemnification of officers but also imposes individual liability for 5% of judgment or \$25,000, whichever is less.	Passed, codified.
Kentucky	H.B. 177 (Jan. 7, 2020)	Codifies qualified immunity for torts arising from the operation of law enforcement vehicles.	Introduced.
Louisiana	H.B. 51 (June 8, 2020)	Eliminates qualified immunity for law enforcement officers as a defense to in wrongful death and use of force claims.	Introduced.
Missouri	H.B. 30 (Aug. 7, 2020)	Creates a state cause of action for violations of constitutional rights; provides for attorney's fees; abolishes qualified immunity as a defense in constitutional actions.	Introduced.
New Jersey	A.B. 4578 (Aug. 25, 2020)	Shifts burden to establish qualified immunity from plaintiffs to law enforcement officers in use of force or deadly force cases brought under the New Jersey Civil Rights Act.	Introduced.
New York	S.B. 8668 (Aug. 21, 2020)	Provides a state cause of action for deprivation of any state or federal constitutional right by a public employee; establishes a fee shifting provision; abolishes qualified immunity as a defense; allows the state attorney general to seek civil penalties.	Introduced.
Virginia	S.B. 5065 (Aug. 26, 2020)	Creates a civil claim for deprivation of rights by law enforcement officers under the state constitution; provides for compensatory and punitive damages; abolishes qualified immunity; indemnifies individual officers.	Introduced.