

78B-3-104 Actions against officers -- Bond required -- Costs and attorney fees.

- (1) A person may not file an action against a law enforcement officer acting within the scope of the officer's official duties unless the person has posted a bond in an amount determined by the court.
- (2) The bond shall cover all estimated costs and attorney fees the officer may be expected to incur in defending the action, in the event the officer prevails.
- (3) The prevailing party shall recover from the losing party all costs and attorney fees allowed by the court.
- (4) In the event the plaintiff prevails, the official bond of the officer shall be liable for the plaintiff's costs and attorney fees.

Enacted by Chapter 3, 2008 General Session