

304.47-060 Immunity of informant and of department employees.

- (1) In the absence of malice, fraud, or gross negligence, a person shall not be subject to civil liability for libel, slander, or any other relevant tort by virtue of filing reports or furnishing other information required by this chapter or requested by the division or its authorized representative. No civil cause of action of any nature shall arise against the person:
 - (a) For any information relating to suspected fraudulent insurance acts furnished to or received from law enforcement officials, their agents, or employees;
 - (b) For any information relating to suspected fraudulent insurance acts furnished to or received from other persons subject to the provisions of this subtitle, including those designated by KRS 304.47-080;
 - (c) For any information furnished to or received from the Department of Workers' Claims, its agents, or employees; or
 - (d) For any information furnished in reports to the commissioner or the National Association of Insurance Commissioners.
- (2) The commissioner or any employee or agent of the Department of Insurance shall not be subject to civil liability for libel, slander, or any other relevant tort. No civil cause of action shall exist against these persons by virtue of the execution of official activities or duties of the commissioner or the division or by virtue of the publication of any report or bulletin related to the official activities or duties of the commissioner.
- (3) This subtitle shall not abrogate or modify any common law or statutory privilege or immunity enjoyed by any person.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1588, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 253, sec. 7, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 213, sec. 10, effective July 15, 1998. -- Amended 1996 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 89, effective December 12, 1996. -- Created 1994 Ky. Acts ch. 496, sec. 22, effective July 15, 1994.