
Board Member Liability Insurance	An ESC may purchase insurance to protect itself and its directors from the cost and expense of defending litigation brought against them individually for acts or omissions committed by them in the good faith discharge of their official duties. The ESC may also purchase insurance to indemnify its directors from awards of damages only where the ESC was or might have been held liable for the same damages. The Board may not purchase insurance to indemnify its directors in situations where it is not itself exposed, actually or potentially, to a similar liability. <i>Atty. Gen. Op. H-70 (1973)</i>
Employee Liability Insurance	As an element of compensation, an ESC may purchase necessary liability insurance in the name of such employees who are exposed to individual liability by virtue of their official duties. <i>Atty. Gen. Op. M-989 (1971)</i>
Tort Claims Act Liability Insurance	The ESC may purchase insurance protection against claims for property damage, personal injury, or death proximately caused by the negligence, wrongful act, or omission of the ESC's officers or employees, acting within the scope of their employment or office. <i>Civ. Prac. & Rem. Code 101.021, 101.027</i>
Tort Claims Payments	The ESC may pay actual damages, court costs, and attorney's fees awarded against an employee or officer if the damages result from an act or omission by the employee or officer in the course and scope of his or her employment or duties and arise from a cause of action for negligence. The ESC shall not pay damages awarded against an employee or officer that arise from a willful or wrongful act or omission, an act or omission constituting gross negligence, or official misconduct.
Defense Counsel	The ESC may provide counsel to represent a defendant for whom the ESC may pay damages. Counsel may be an attorney regularly employed by the ESC, unless there is a potential conflict of interest between the defendant and the ESC, in which case the ESC may employ other counsel to defend the suit. <i>Civ. Prac. & Rem. Code 102.002, 102.004</i>
Mold Remediation	A person is not liable in a civil lawsuit for damages related to a decision to allow occupancy of a property after mold remediation has been performed if a certificate of mold damage remediation has been issued for the property, the property is owned or occupied by an ESC, and the decision to occupy was made by the Board or any person authorized by the Board. <i>Occupations Code 1958.304</i>