

HB 145 -- INDEMNITY AGREEMENTS FOR CONSTRUCTION CONTRACTS

SPONSOR: Gosen

This bill requires every party entering into a contract or agreement for public or private construction work as defined in the bill to be responsible for any liability or damages arising from the party's own negligence, wrongdoing, or recklessness and prohibits the transfer, delegation, or assigning of responsibility to another person and repeals the provision allowing an exemption if the party has specified limits of insurance to insure the indemnity obligation. A party's agreement to insure for liability, defend against liability, indemnify or hold harmless another person from that person's own negligence, wrongdoing, or recklessness is void as against public policy and unenforceable. These provisions cannot apply to a party's promise to cause another person to be named as an additional insured in a liability insurance contract that provides liability coverage for the named person for the negligence, wrongdoing, or recklessness of the party making the promise or purchase an owner's or contractor's protective liability insurance or builder's risk insurance.

These provisions will only apply to contracts or agreements entered into after August 28, 2015.