Overview

Under current statute, an indemnification agreement associated with a building and construction contract is not enforceable "except to the extent that the underlying injury or damage is attributable to the negligent or otherwise wrongful act or omission" of the person (or their contractors, agents, or employees) who is promising to indemnify someone else under the agreement. This bill adds a second condition under which indemnification agreements may be enforceable. If an owner, a responsible party, or a governmental entity agrees to indemnify a contractor (or that contractor's subcontractors) so that the contractor will not be held to the standard of strict liability with respect to environmental harm, that agreement can be enforced.

Section

1 Unenforceability of certain agreements. Allows for the enforceability of indemnification agreements when an owner, a responsible party, or a governmental entity agrees to indemnify a contractor with respect to strict liability under environmental laws.

2 Effective date. Provides for the bill to be effective the day following final enactment, and for the bill to apply to agreements entered into on or after that date.