

2009 SESSION

INTRODUCED

096658668

HOUSE BILL NO. 1710

Offered January 14, 2009

Prefiled January 5, 2009

A BILL to amend and reenact § 11-4.1 of the Code of Virginia, relating to certain indemnification provisions in construction contracts declared void.

Patron—Oder

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 11-4.1 of the Code of Virginia is amended and reenacted as follows:

§ 11-4.1. Certain indemnification provisions in construction contracts declared void.

Any provision contained in any contract relating to the construction, alteration, repair or maintenance of a building, structure or appurtenance thereto, including moving, demolition and excavation connected therewith, or any provision contained in any contract relating to the construction of projects other than buildings by which the contractor performing such work purports to indemnify or hold harmless another party to the contract against liability for damage arising out of bodily injury to persons or damage to property suffered in the course of performance of the contract, caused by or resulting ~~solely~~ *in whole or in part* from the negligence of such other party or his agents or employees, is against public policy and is void and unenforceable. This section applies to such contracts between contractors and any public body, as defined in § 2.2-4301.

This section shall not affect the validity of any insurance contract, workers' compensation, or any agreement issued by an admitted insurer.

The provisions of this section shall not apply to any provision of any contract entered into prior to July 1, 1973.

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