

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 341

An Act to amend the Code of Virginia by adding a section numbered 11-4.4, relating to contracts; indemnification.

[H 2418]

Approved March 16, 1995

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 11-4.4 as follows:

§ 11-4.4. Certain indemnification provisions in contracts with design professionals declared void.

Any provision contained in any contract relating to the planning or design of a building, structure or appurtenance thereto, including moving, demolition or excavation connected therewith, or any provision contained in any contract relating to the planning or design of construction projects other than buildings by which the architect or professional engineer 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 the performance of the contract, caused by or resulting solely from the negligence of such other party, his agents or employees, is against public policy and is void and unenforceable.

This section shall apply to such contracts between an architect or professional engineer and any public body as defined in § 11-37.

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

2. That the provisions of this act shall not apply to any contract entered into prior to July 1, 1995.