

2012 -- S 2530

=====
LC01004
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

—————
A N A C T

RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS

Introduced By: Senator Michael J. McCaffrey

Date Introduced: February 16, 2012

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 6-34-1 of the General Laws in Chapter 6-34 entitled "Construction
2 Indemnity Agreements" is hereby amended to read as follows:

3 **6-34-1. Construction indemnity agreements.** -- (a) A covenant, promise, agreement, or
4 understanding in, or in connection with or collateral to, a contract or agreement relative to the
5 design, planning, construction, alteration, repair, or maintenance of a building, structure,
6 highway, road, appurtenance, and appliance, including moving, demolition, and excavating
7 connected with a building, structure, highway, road, appurtenance, or appliance, pursuant to
8 which contract or agreement the promisee or the promisee's independent contractors, agents, or
9 employees has hired the promisor to perform work, purporting to indemnify the promisee, the
10 promisee's independent contractors, agents, employees, or indemnitees against liability for
11 damages arising out of bodily injury to persons or damage to property proximately caused by or
12 resulting from the negligence of the promisee, the promisee's independent contractors, agents,
13 employees, or indemnitees, is against public policy and is void. ~~provided that this section shall~~
14 ~~not affect the validity of any insurance contract, worker's compensation agreement, or an~~
15 ~~agreement issued by an insurer.~~

16 (b) Nothing in this section shall prohibit any person from purchasing insurance for his or
17 her own protection or from purchasing a construction bond.

1 SECTION 2. This act shall take effect upon passage.

=====
LC01004
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS

1 This act would eliminate a provision regarding construction indemnity agreements in
2 regard to the validity of any insurance contract, workers' compensation agreement, or an
3 agreement issued by an insurer.

4 This act would take effect upon passage.

=====
LC01004
=====