

COMMITTEE ON COMMERCE AND PUBLIC SAFETY

SENATE AMENDMENTS TO S.B. 1271

(Reference to printed bill)

1 Page 1, strike lines 7 through 12, insert:

2            "A. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, a covenant,  
3 clause or understanding in, collateral to or affecting a construction  
4 contract or architect-engineer professional service contract that purports  
5 to indemnify, to hold harmless or to defend the promisee from or against  
6 liability for loss or damage resulting from the sole negligence of the  
7 promisee or the promisee's agents, employees or indemnitee is against the  
8 public policy of this state and is void."

9 Reletter to conform

10 Line 13, strike "CONTRACTOR, A SUBCONTRACTOR OR AN ARCHITECT OR ENGINEER"  
11 insert "CONSTRUCTION"

12 Line 15, strike "BUILDING OR IMPROVEMENT" insert "DWELLING"

13 Line 16, strike "CONTRACTING AGENT" insert "INDEMNITEE"; strike "REQUIRE THAT  
14 THE CONSTRUCTION CONTRACT OR"

15 Strike line 17

16 Line 18, strike "SUBCONTRACT"; strike "CONTRACTOR, SUBCONTRACTOR OR ARCHITECT  
17 OR ENGINEER" insert "CONSTRUCTION"

18 Line 19, strike "AGENT" insert "INDEMNITEE"

19 Line 23, strike "CONTRACTOR, SUBCONTRACTOR OR ARCHITECT OR ENGINEER" insert  
20 "CONSTRUCTION"; after "PROFESSIONAL" insert a comma

21 Line 24, strike "CONTRACTOR, SUBCONTRACTOR OR ARCHITECT OR"

22 Line 25, strike "ENGINEER" insert "CONSTRUCTION"; after "PROFESSIONAL" insert  
23 a comma

24 Line 32, strike the first "A" insert "B"

25 Line 35, strike "BUILDING OR IMPROVEMENT" insert "DWELLING"; strike  
26 "CONTRACTOR, THE"

27 Line 36, strike "SUBCONTRACTOR OR THE ARCHITECT OR ENGINEER" insert  
28 "CONSTRUCTION"

Senate Amendments to S.B. 1271

- 1 Page 1, line 37, strike "CONTRACTING AGENT" insert "INDEMNITEE"
- 2 Line 40, strike "A" insert "B"
- 3 Line 42, strike "subsection ~~A-B~~" insert "SUBSECTIONS A AND C"
- 4 Page 2, between lines 12 and 13, insert:  
5                 "F. SUBSECTIONS B, C AND D OF THIS SECTION DO NOT APPLY TO:"
- 6 Reletter to conform
- 7 Line 13, strike "3." insert "1."
- 8 Line 15, strike "4." insert "2."
- 9 Line 17, strike "5." insert "3."
- 10 Line 22, strike "A,"; after "B" insert ", C"
- 11 Line 23, strike "C" insert "D"
- 12 Strike lines 34 through 36
- 13 Renumber to conform
- 14 Between lines 40 and 41, insert:  
15                 "3. "CONSTRUCTION PROFESSIONAL" HAS THE SAME MEANING PRESCRIBED IN  
16 SECTION 12-1361.  
17                 4. "DWELLING" HAS THE SAME MEANING PRESCRIBED IN SECTION 12-1361.  
18                 5. "INDEMNITEE" MEANS A PERSON OR ENTITY THAT, IN A WRITTEN  
19 CONSTRUCTION CONTRACT, IS TO BE INDEMNIFIED OR PROTECTED BY ANOTHER PERSON  
20 OR ENTITY.  
21                 6. "INDEMNITOR" MEANS THE PERSON OR ENTITY THAT IS BOUND BY A  
22 WRITTEN CONSTRUCTION CONTRACT TO PROVIDE INDEMNIFICATION TO ANOTHER PERSON  
23 OR ENTITY."
- 24 Amend title to conform

1271COMPS  
02/02/2018  
04:35 PM  
S: GH/lb