

House Bill 136

By: Representatives Coan of the 101st, Shaw of the 176th, O'Neal of the 146th, Rogers of the 26th, Millar of the 79th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to
2 contracts contravening public policy generally, so as to provide that any contract of insurance
3 which provides for indemnification against liability for damages arising out of bodily injury
4 to persons or damage to property caused by a promisee or indemnitee in connection with a
5 contract or agreement relative to the construction, alteration, repair, or maintenance of a
6 building structure, appurtenances, and appliances is against public policy, void, and
7 unenforceable; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to contracts
11 contravening public policy generally, is amended by revising subsection (b) as follows:
12
13 "(b) A covenant, promise, agreement, or understanding in or in connection with or
14 collateral to a contract or agreement relative to the construction, alteration, repair, or
15 maintenance of a building structure, appurtenances, and appliances, including moving,
16 demolition, and excavating connected therewith, purporting to indemnify or hold harmless
17 the promisee against liability for damages arising out of bodily injury to persons or damage
18 to property caused by or resulting from the sole negligence of the promisee, his or her
19 agents or employees, or indemnitee, or any contract of insurance which purports to provide
20 for such indemnification or holding harmless of the promisee, is against public policy and
21 is void and unenforceable, provided that this subsection shall not affect the validity of any
22 ~~insurance contract, workers' compensation, or agreement issued by an admitted insurer."~~

SECTION 2.

23 All laws and parts of laws in conflict with this Act are repealed.
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