

House Bill 360

By: Representative Taylor of the 79<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 46-7-12.1 of the Official Code of Georgia Annotated, relating to  
2 indemnity and hold harmless provisions in motor carrier transportation contracts, so as to  
3 remove certain intentional acts; to provide for related matters; to provide for an effective  
4 date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 46-7-12.1 of the Official Code of Georgia Annotated, relating to indemnity and  
8 hold harmless provisions in motor carrier transportation contracts, is amended by revising  
9 subsection (b) as follows:

10 "(b) Notwithstanding any provision of law to the contrary, a provision, clause, covenant,  
11 or agreement contained in, collateral to, or affecting a motor carrier transportation contract  
12 that purports to indemnify, defend, or hold harmless, or has the effect of indemnifying,  
13 defending, or holding harmless, the promisee from or against any liability for loss or  
14 damage resulting from the negligence ~~or intentional acts or omissions~~ of the promisee is  
15 against the public policy of this state and is void and unenforceable."

16 **SECTION 2.**

17 This Act shall become effective on July 1, 2011.

18 **SECTION 3.**

19 All laws and parts of laws in conflict with this Act are repealed.