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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 424 Session of  
2021

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INTRODUCED BY STEPHENS, DRISCOLL, ZABEL, GALLOWAY, MALAGARI,  
BURGOS, WARREN, CIRESI, THOMAS, HOHENSTEIN AND McNEILL,  
FEBRUARY 8, 2021

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REFERRED TO COMMITTEE ON COMMERCE, FEBRUARY 8, 2021

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AN ACT

1 Amending the act of July 9, 1970 (P.L.484, No.164), entitled "An  
2 act relating to indemnification agreements between  
3 architects, engineers or surveyors and owners, contractors,  
4 subcontractors or suppliers," further providing for title of  
5 act; and providing for indemnification agreements relative to  
6 construction contracts, including agreements for  
7 architectural, engineering or land surveying services.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. The title of the act of July 9, 1970 (P.L.484,  
11 No.164), entitled "An act relating to indemnification agreements  
12 between architects, engineers or surveyors and owners,  
13 contractors, subcontractors or suppliers," is amended to read:

14 AN ACT

15 Relating to indemnification agreements between architects,  
16 engineers or surveyors and owners, contractors,  
17 subcontractors or suppliers[.] and indemnification agreements  
18 relative to construction contracts, including agreements for  
19 architectural, engineering or land surveying services.

20 Section 2. The act is amended by adding sections to read:

1     Section 1.1. Any provision or term in any construction  
2 contract in which a party or its agents or employes shall be  
3 indemnified, held harmless or insured for damages, claims,  
4 losses or expenses arising out of bodily injury to persons,  
5 damage to property or economic damage caused by or resulting  
6 from that party's negligence, in whole or in part shall be void  
7 as against public policy and unenforceable.

8     Section 1.2. As used in this act, the term "construction  
9 contract" means a covenant, agreement or understanding in, or in  
10 connection with any contract or agreement made and entered into  
11 by an owner, contractor, subcontractor or supplier or the agents  
12 or employes of the owner, architect, engineer, land surveyor,  
13 contractor, subcontractor or supplier relative to the design,  
14 construction, reconstruction, alteration, repair, maintenance,  
15 demolition, servicing or security of a building, structure,  
16 highway, railroad, appurtenance, land development or appliance.

17     Section 3. This act shall take effect in 60 days.