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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2195 Session of  
2015

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INTRODUCED BY MURT, PICKETT, DRISCOLL, O'NEILL, ROZZI, ZIMMERMAN  
AND DAVIS, JUNE 22, 2016

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REFERRED TO COMMITTEE ON INSURANCE, JUNE 22, 2016

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AN ACT

1 Providing for enforceability of certain indemnity provisions in  
2 snow removal and ice control services contracts.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Snow Removal  
7 Service Liability Limitation Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Service provider." A person providing services under a snow  
13 removal and ice control services contract.

14 "Service receiver." A person receiving services under a snow  
15 removal and ice control services contract.

16 "Snow removal and ice control services contract." A contract  
17 or agreement for the performance of any of the following:

18 (1) Plowing, shoveling or other removal of snow or other

1 mixed precipitation from a surface.

2 (2) De-icing services.

3 (3) A service incidental to an activity under paragraph  
4 (1) or (2), including operating or otherwise moving snow  
5 removal or de-icing equipment or materials.

6 Section 3. Certain indemnity agreements void.

7 A provision, clause, covenant or agreement that is part of or  
8 in connection with a snow removal and ice control services  
9 contract is against public policy and void if it requires, or  
10 has the effect of requiring, a service provider to:

11 (1) indemnify a service receiver for damages resulting  
12 from the acts or omissions of the service receiver or the  
13 service receiver's agents or employees; or

14 (2) defend a service receiver against any tort liability  
15 for damages resulting from the acts or omissions of the  
16 service receiver or the service receiver's agents or  
17 employees.

18 Section 4. Applicability.

19 The following shall apply:

20 (1) This act shall apply to snow removal and ice control  
21 services contracts entered into on and after the effective  
22 date of this act.

23 (2) This act shall not apply to an insurance policy, a  
24 surety bond or workers' compensation.

25 (3) This act shall not affect any immunities or  
26 affirmative defenses arising under other law.

27 Section 5. Effective date.

28 This act shall take effect immediately.