



Minnesota Floorcovering Contractors Association

February 14, 2023

Honorable Members of the Legislature
Minnesota State Capitol
Saint Paul, Minnesota 55155

RE: Hear & Pass HF865/SF754

I am writing on behalf of the Minnesota Floorcovering Contractors Association to request that you vote yes for HF865/SF754 (End the Duty to Defend).

Construction subcontractors should not have to pay for a general contractor's attorney's fees when the general contractor is negligent.

Minnesota Statutes Chapter 337 says that a subcontractor is not liable for the negligence of the general contractor. Yet, some general contractors still want subcontractors to pay for the general contractor's attorney's fees even when the general contractor is negligent. This defeats the purpose of Chapter 337. And that is why we need HF865/SF754.

Subcontractors are not trying to shirk their responsibility, but do not want to be saddled with someone else's negligence. Don't let general contractors force subcontractors to pay the general contractor's attorney fees when the subcontractor has no underlying liability. It is vital that common sense be brought back to the construction industry.

Please pass HF865/SF754.

Sincerely,

A handwritten signature in black ink, appearing to read "John Nesse", is written over a circular stamp. The stamp is partially obscured by the signature.

John Nesse
Executive Director