

House Research Act Summary

CHAPTER: 257

SESSION: 2014 Regular Session

TOPIC: Indemnity agreements in design professional services contracts

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Overview

This act voids indemnity agreements in design professional service contracts for architects, engineers, and others when the contract requires them to indemnify the actions of another.

Section

1 Indemnity agreements in design professional services contracts void. Voids indemnification agreements in contracts with design professional servicers when the terms of the contract require the design professional servicer to indemnify the actions of others who are not the design professional servicer, their employees, or others for whom they are liable.

Provides that design professional includes: licensed architects, professional engineers, professionals providing services using geosciences, land surveyors, landscape architects, and interior designers.

Allows for the indemnification clauses to be used if insurance can be obtained by the design professional.

Applies to contracts that are related to the maintenance or improvement of real property, highways, roads, or bridges in Minnesota and require that the contracts be subject to the laws of Minnesota and provisions in the contract applying other state's law or providing other state jurisdiction over these contracts would be void.

Provides that this section does not apply to certain settlement agreements or agreements with insurance and bonding companies under Minnesota Statutes, sections 337.03 and 337.04.

Section

Effective date. This section is effective August 1, 2014, and applies to contracts or agreements entered into on or after that date.