

**SB0056/973929/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 56

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “indemnified;” in line 6.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 24 through 31, inclusive; in line 32, strike “(5)” and substitute “(4)”.

On page 4, after line 2, insert:

**“(5) THIS SUBSECTION MAY NOT BE CONSTRUED TO PREVENT ENFORCEMENT OF A PROVISION IN A CONTRACT OR AGREEMENT THAT PURPORTS TO REQUIRE A DESIGN PROFESSIONAL TO INDEMNIFY A PROMISEE OR INDEMNITEE FOR DEFENSE COSTS INCURRED IN CONNECTION WITH THIRD-PARTY CLAIMS FOR LOSS OR DAMAGES CAUSED BY OR RESULTING FROM THE FAULT OF THE DESIGN PROFESSIONAL OR ITS DERIVATIVE PARTIES, EXCEPT TO THE EXTENT THE PROVISION IS AGAINST PUBLIC POLICY AND IS VOID AND UNENFORCEABLE UNDER PARAGRAPH (2), (3), OR (4) OF THIS SUBSECTION.”**