WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1975

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ENROLLED

HOUSE BILL No. 1236

Originating in the House Committee on the
Judiciary

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PASSED March 8, 1975

In Effect ninety days from Passage
AN ACT to amend article eight, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen, making covenants, promises, agreements or understandings of indemnification against the sole negligence of the indemnitee, his agents or employees against public policy; providing that no action may be maintained thereon; and providing exceptions.

Be it enacted by the Legislature of West Virginia:

That article eight of chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fourteen, to read as follows:

ARTICLE 8. ACTIONS ON CONTRACTS.

§55-8-14. Agreements to indemnify against sole negligence of the indemnitee, his agents or employees against public policy; no action maintainable thereon; exceptions.

A covenant, promise, agreement or understanding in or in connection with or collateral to a contract or agreement entered into on or after the effective date of this section, relative to the construction, alteration, repair, addition to, subtraction from, improvement to or maintenance of any building, highway, road, railroad, water, sewer, electrical or gas distribution system, excavation or other structure, project, development or improvement attached to real estate, including moving and...
9 demolition in connection therewith, purporting to indemnify
10 against liability for damages arising out of bodily injury to per-
11 sons or damage to property caused by or resulting from the sole
12 negligence of the indemnitee, his agents or employees is against
13 public policy and is void and unenforceable and no action shall
14 be maintained thereon.
15 This section does not apply to construction bonds or in-
16 surance contracts or agreements.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House.
Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within Approved this the 22nd day of March, 1975.

Governor
PRESENTED TO THE GOVERNOR

Date 3/18/15
Time 4:15 p.m.