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# HOUSE BILL No. 1378

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-23-2-12.5.

**Synopsis:** Indemnification requirements in state contracts. Provides that the Indiana department of transportation may not require a person providing engineering, architectural, surveying, or other professional services to indemnify the state from claims, suits, court costs, attorney's fees, or other costs caused by any act or omission of the contractor other than the contractor's negligent acts or omissions.

**Effective:** Upon passage.

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### Ripley

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January 16, 2008, read first time and referred to Committee on Judiciary.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

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# HOUSE BILL No. 1378



A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 8-23-2-12.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: **Sec. 12.5. (a) As used in this section,**  
4 **"contractor" refers to a person who provides professional services**  
5 **under a contract with the department.**  
6       **(b) As used in this section, "professional services" refers to**  
7 **engineering, architectural, surveying, or other professional**  
8 **services.**  
9       **(c) The department may not require a contractor to indemnify**  
10 **the state from claims, suits, court costs, attorney's fees, or other**  
11 **costs caused by any act or omission of the contractor other than the**  
12 **contractor's negligent acts or omissions.**  
13       SECTION 2. **An emergency is declared for this act.**

