

By Mr. Serra of Boston, petition of Emanuel G. Serra for legislation to correct an oversight in the law relative to construction in the Commonwealth. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT CORRECTING AN OVERSIGHT IN THE LAW RELATIVE TO CONSTRUCTION IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter one hundred and forty-nine of the General Laws is
2 hereby amended by striking out section 3 of Chapter two hundred
3 and twenty-eight of the Acts of nineteen hundred and eighty-five,
4 and inserting in place thereof the following section: —

5 Section 29C. Any provision for or in connection with a contract
6 for construction, reconstruction, installation, alteration,
7 remodeling, repair, demolition or maintenance work, including
8 without limitation, excavation, backfilling or grading, on any
9 building or structure, whether underground or above ground, on
10 any real property, including without limitation any road, bridge,
11 tunnel, sewer, water or other utility line, which requires a
12 subcontractor to indemnify any party for injury to persons or
13 damage to property not caused by the subcontractor or its
14 employees, agents or subcontractors, shall be void.

15 Any provision for or in connection with a contract for
16 construction, reconstruction, installation, alteration, remodeling,
17 repair, demolition or maintenance work, including without
18 limitation, excavation, backfilling or grading, on any building or
19 structure, whether underground or above ground, or on any real
20 property, including without limitation any road, bridge, tunnel,
21 sewer, water or other utility line, which requires the general
22 contractor to indemnify any party for injury to persons or damage
23 to property not caused by the general contractor or its employee,
24 agents or subcontractors, shall be void.

