



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

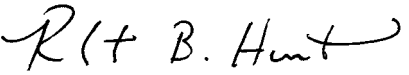
No. 1761

H.P. 1179

House of Representatives, April 22, 2025

An Act to Prohibit Indemnification Agreements

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative MORRIS of Turner.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA c. 201-B** is enacted to read:

3 **CHAPTER 201-B**

4 **INDEMNIFICATION IN CONTRACTS**

5 **§1120-E. Indemnification agreements against public policy**

6 **1. Indemnification void and unenforceable.** A provision, clause, covenant or
7 agreement contained in, collateral to or affecting a contract that purports to indemnify or
8 hold harmless the promisee from or against any negligence, claim or liability arising out of
9 an intentional act or omission of the promisee or promisor, or an agent, servant, employee
10 or independent contractor of the promisee or promisor, is against the public policy of the
11 State and is void and unenforceable.

12 **2. Additional insured not prohibited.** This section does not prohibit an agreement
13 or requirement in a contract from including the promisee as an additional insured in an
14 insurance contract.

15 **3. Exception.** This section does not affect the validity of an insurance contract for
16 workers' compensation or any other insurance contract or agreement issued by an insurer
17 licensed to engage in the business of insurance in this State.

18 **Sec. 2. Application.** This Act applies to contracts entered into or renewed on or after
19 January 1, 2026.

20 **SUMMARY**

21 This bill prohibits contract agreements that indemnify or hold harmless the promisee
22 from or against any negligence, claim or liability arising out of an intentional act or
23 omission of the promisee or promisor. Parties to a contract are not prohibited from agreeing
24 that the promisee must be included as an additional insured in an insurance contract. The
25 bill does not affect the validity of workers' compensation or other insurance contracts.