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.

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

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

CHAPTER 201-B

INDEMNIFICATION IN CONTRACTS

§1120-E. Indemnification agreements against public policy

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

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

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

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

SUMMARY

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