AN ACT CONCERNING SNOW REMOVAL AND ICE CONTROL SERVICES CONTRACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective July 1, 2019, and applicable to contracts entered into on and after said date) (a) As used in this section:

(1) "Service provider" means a person providing services under a snow removal and ice control services contract;

(2) "Service receiver" means a person receiving services under a snow removal and ice control services contract;

(3) "Snow removal and ice control services contract" means a contract or agreement for the performance of: (A) Plowing, shoveling or removal of snow or ice, (B) de-icing services, or (C) a service incidental to subparagraph (A) or (B) of this subdivision, including, but not limited to, operating or moving snow removal or de-icing equipment or materials.

(b) A provision, clause, covenant or agreement that is part of or in connection with a snow removal and ice control services contract is against public policy and void if it does any of the following in the
instance where the service provider is prohibited, by express contract
terms or in writing, from mitigating a specific snow, ice or other
mixed-precipitation event or risk: (1) Requiring, or having the effect of
requiring, a service provider to indemnify a service receiver for acts
that the service provider is not required to perform, or is instructed by
the service receiver not to perform, under a snow removal and ice
control services contract, or (2) requiring, or having the effect of
requiring, a service provider to hold a service receiver harmless from
any tort liability for damages resulting from the acts or omissions of
the service receiver or the service receiver's agents or employees.

(c) The provisions of this section shall not apply to snow removal
and ice control services contracts to be performed on municipal or
state-owned roadways or property.

| This act shall take effect as follows and shall amend the following sections: |
|-----------------|-------------------------------------------------|-----------------|
| Section 1       | July 1, 2019, and applicable to contracts entered into on and after said date | New section    |