

# HOUSE BILL No. 5230

January 21, 2016, Introduced by Rep. Yonker and referred to the Committee on Judiciary.

A bill to make certain indemnity contracts relating to snowplow and deicing services void and unenforceable.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. (1) A provision, clause, covenant, or agreement  
2 contained in, collateral to, or affecting a snowplow and deicing  
3 services contract that purports to indemnify, defend, or hold  
4 harmless, or that has the effect of indemnifying, defending, or  
5 holding harmless, the promisee from or against liability for loss  
6 or damage resulting from the negligence or omissions of the  
7 promisor is against the public policy of this state and is void and  
8 unenforceable.

9           (2) As used in this act:

10           (a) "Promisee" means the promisee and any agents, employees,  
11 servants, or independent contractors who are directly responsible

1 to the promisee.

2 (b) "Snowplow and deicing services contract" means a contract,  
3 agreement, or understanding that covers any of the following:

4 (i) Plowing, shoveling, or other removing of snow or other  
5 mixed precipitation from a surface.

6 (ii) Deicing services.

7 (iii) A service incidental to activity described in  
8 subparagraph (i) or (ii), including, but not limited to, driving or  
9 otherwise moving snowplow and deicing equipment and materials.

10 Enacting section 1. This act takes effect 90 days after the  
11 date it is enacted into law.