



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1761

H.P. 1179

House of Representatives, April 22, 2025

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### An Act to Prohibit Indemnification Agreements

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

*Robert B. Hunt*  
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.