
A BILL FOR AN ACT

RELATING TO PROCUREMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 103D-713, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) No contract [~~of less than \$1,000,000~~] that is entered
4 into on or after July 1, 2007, by any governmental body, and is
5 exclusively for services that may only lawfully be provided by a
6 person licensed under chapter 464, [~~may~~] shall require the
7 contractor to defend the governmental body, or its officers,
8 employees, or agents, from any liability, damage, loss, or
9 claim, action, or proceeding arising out of the contractor's
10 performance under the contract."

11 SECTION 2. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.
17

INTRODUCED BY: _____

HB LRB 11-1282.doc



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JAN 24 2011

Report Title:

Procurement; Construction; Government Indemnity

Description:

Prohibits state construction contracts from requiring a contractor to defend the State in any claim arising from the contractor's performance.

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