

Hall of the House of Representatives
87th General Assembly - Regular Session, 2009
Amendment Form

Subtitle of House Bill No. 1885

"TO ENCOURAGE FAIR DEALING IN CONTRACTS BY REQUIRING HOLD HARMLESS
LANGUAGE IN A CONTRACT TO BE CLEAR AND CONSPICUOUS."

Amendment No. 1 to House Bill No. 1885.

Amend House Bill No. 1885 as originally introduced:

Page 1, line 36, delete "(b)" and substitute "(b)(1)"

AND

Page 1, line 36, delete ", defend, waive, release,"

AND

Page 2, line 4, insert a new subdivision (b)(2) and a new subsection (c) to read as follows:

"(2) The failure to use clear and conspicuous language for an indemnification or hold harmless clause in a contract does not affect the enforceability of another provision in the contract."

"(c) This section does not require the state, a state agency, or an institution of higher education to enter into a contract that waives or that may be interpreted to waive the sovereign immunity of the state or that is contrary to Arkansas Constitution, Article 12, § 12."



The Amendment was read _____

By: Representative Hyde
LMG/LMG - 03-12-2009 15:28
LMG301

Chief Clerk