

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/30/07

A Bill

HOUSE BILL 1209

5 By: Representatives Hyde, E. Brown, Burkes, George, Glidewell, King, Pierce, J. Roebuck, Webb
6 By: Senator Salmon
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For An Act To Be Entitled

10 AN ACT TO PROMOTE INSURANCE COVERAGE; TO PROTECT
11 BUSINESS FROM INSURANCE POLICY LIMITATIONS; AND
12 FOR OTHER PURPOSES.
13

Subtitle

14 TO PROMOTE INSURANCE COVERAGE AND TO
15 PROTECT BUSINESS FROM INSURANCE POLICY
16 LIMITATIONS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 4, Chapter 56, is amended to add an
23 additional section to read as follows:

24 4-56-104. Hold harmless clause.

25 (a) As used in this section:

26 (1) "Agreement" means the bargain of the parties in fact, as
27 found in their language or inferred from other circumstances, including
28 course of performance, course of dealing, or usage of trade as provided in §
29 4-1-303; and

30 (2) "Contract" means the total legal obligation that results
31 from the parties' agreement as supplemented by any other applicable laws.

32 (b) Except as provided in subsections (c) and (d) of this section, an
33 agreement or contract is unenforceable as against public policy if the
34 agreement or contract requires a party to the contract or agreement or that
35 party's surety or insurer to indemnify, insure, defend, or hold harmless
36 another party against liability for:



