

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Snow
5 Removal Service Liability Limitation Act.

6 Section 5. Definitions. In this Act:

7 "Service provider" means a person providing services under
8 a snow removal and ice control services contract.

9 "Service receiver" means a person receiving services under
10 a snow removal and ice control services contract.

11 "Snow removal and ice control services contract" means a
12 contract or agreement for the performance of any of the
13 following:

14 (1) plowing, shoveling, or other removal of snow or
15 other mixed precipitation from a surface;

16 (2) de-icing services; or

17 (3) a service incidental to an activity described in
18 item (1) or (2), including operating or otherwise moving
19 snow removal or de-icing equipment or materials.

20 Section 10. Certain indemnity agreements void. A
21 provision, clause, covenant, or agreement that is part of or in
22 connection with a snow removal and ice control services

1 contract is against public policy and void if it does any of
2 the following:

3 (1) Requires, or has the effect of requiring, a service
4 provider to indemnify a service receiver for damages
5 resulting from the acts or omissions of the service
6 receiver or the service receiver's agents or employees.

7 (2) Requires, or has the effect of requiring, a service
8 receiver to indemnify a service provider for damages
9 resulting from the acts or omissions of the service
10 provider or the service provider's agents or employees.

11 (3) Requires, or has the effect of requiring, a service
12 provider to hold a service receiver harmless from any tort
13 liability for damages resulting from the acts or omissions
14 of the service receiver or the service receiver's agents or
15 employees.

16 (4) Requires, or has the effect of requiring, a service
17 receiver to hold a service provider harmless from any tort
18 liability for damages resulting from the acts or omissions
19 of the service provider or the service provider's agents or
20 employees.

21 (5) Requires, or has the effect of requiring, a service
22 provider to defend a service receiver against any tort
23 liability for damages resulting from the acts or omissions
24 of the service receiver or the service receiver's agents or
25 employees.

26 (6) Requires, or has the effect of requiring, a service

1 receiver to defend a service provider against any tort
2 liability for damages resulting from the acts or omissions
3 of the service provider or the service provider's agents or
4 employees.

5 Section 15. Applicability.

6 (a) This Act applies to snow removal and ice control
7 services contracts entered into on and after the effective date
8 of this Act.

9 (b) This Act does not apply to contracts for snow removal
10 or ice control services on public roads or with public bodies.

11 (c) This Act does not apply to contracts for snow removal
12 or ice control services with a public utility. As used in this
13 Section, "public utility" has the meaning provided in Section
14 3-105 of the Public Utilities Act.

15 (d) This Act does not apply to an insurance policy, a
16 surety bond, or workers' compensation.

17 (e) This Act does not affect any liabilities, immunities,
18 or affirmative defenses arising under other law.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.