

HB 1765-S.E - DIGEST

(AS OF HOUSE 2ND READING 3/14/2007)

Provides that any clause in a construction contract that purports to waive, release, or extinguish the claim rights of a contractor, subcontractor, or supplier to damages or an equitable adjustment based on failure to submit claim notice or claim-related documentation in a specified time frame or form is enforceable if the clause includes the following provisions: Initial notice of an event giving rise to a claim is required to be submitted: (a) within seven calendar days following the occurrence of the event; (b) in writing; and (c) to the party, as specified in the contract, to whom the claim is being made.

Applies to contracts or agreements entered into on or after January 1, 2008.