

26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 ENACTS:

30 [13-8-7](#), Utah Code Annotated 195331

32 *Be it enacted by the Legislature of the state of Utah:*33 Section 1. Section [13-8-7](#) is enacted to read:34 **[13-8-7. Contract for design professional services -- Agreements to indemnify.](#)**35 (1) As used in this section:36 (a) "Design professional" means:37 (i) an individual licensed under:38 (A) Title 58, Chapter 3a, Architects Licensing Act;39 (B) Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors40 Licensing Act; or41 (C) Title 58, Chapter 53, Landscape Architects Licensing Act; or42 (ii) ~~§~~ ~~→~~ [am] a nongovernmental ~~←~~ ~~§~~ entity engaged in the business of providing services
42a that require a license43 described in Subsection (1)(a)(i).44 (b) "Design professional services" means:45 (i) professional services within the scope of the practice of architecture as defined in46 Section [58-3a-102](#);47 (ii) professional engineering or professional land surveying as defined in Section48 [58-22-102](#); or49 (iii) professional services within the scope of the practice of landscape architecture as50 defined in Section [58-53-102](#).51 (c) ~~§~~ ~~→~~ (i) ~~←~~ ~~§~~ "Design professional services contract" means a contract under which a
51a design52 professional agrees to provide design professional services:53 ~~§~~ ~~→~~ [(fi)] (A) ~~←~~ ~~§~~ to a governmental entity; or54 ~~§~~ ~~→~~ [(fii)] (B) ~~←~~ ~~§~~ for an improvement owned or to be owned by a governmental entity.54a ~~§~~ ~~→~~ (ii) "Design professional service contract" does not include a construction contract, as
54b defined in Section [13-8-1](#). ~~←~~ ~~§~~55 (d) "Indemnification provision" means a covenant, promise, agreement, or56 understanding in, in connection with, or collateral to, a design professional services contract