

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny to Engrossed Senate Bill No. 518 by Senator Martiny

1 AMENDMENT NO. 1

2 On page 1, delete lines 13 through 16 and insert:

3 **"J. A claim or defense that an indemnity provision, covenant, or clause is null,**
4 **void, and unenforceable under the provisions of this Section, if contested, shall**
5 **be decided by the court prior to the trial of the case, and the prevailing party**
6 **shall be entitled to attorney fees and costs incurred in connection with such**
7 **determination. Any claim for indemnity based upon a provision, covenant, or**
8 **clause that is null, void, and unenforceable under the provisions of this Section**
9 **shall be deemed frivolous."**