

13-8-3 Construction contracts and purchase orders -- Venue.

- (1) As used in this section, "construction agreement" means a construction contract, subcontract, or purchase order for the design, construction, installation, or repair of an improvement to real property between a:
 - (a) construction manager;
 - (b) general contractor;
 - (c) subcontractor;
 - (d) sub-subcontractor;
 - (e) supplier; or
 - (f) any combination of the persons described under Subsections (1)(a) through (e).
- (2) A provision in a construction agreement requiring a dispute arising under the agreement to be resolved in a forum outside of this state is void and unenforceable as against the public policy of this state if:
 - (a) one of the parties to the agreement is domiciled in this state; and
 - (b) work to be done and the equipment and materials to be supplied under the agreement involves a construction project in this state.
- (3) This section applies to a construction agreement executed, renewed, or materially modified on or after May 5, 1997.

Enacted by Chapter 60, 1997 General Session