

FIFTY STATE SURVEY OF KEY ISSUES RELATED TO CONSTRUCTION AND ENGINEERING CONTRACTS

State	Enforceability of Limitation of Liability Clauses	Enforceability of Waiver of Consequential Damages Clauses	Application of Economic Loss Doctrine	Enforceability of No Damages for Delay Clauses	Strict Interpretation of Contract	Prompt Payment Requirements (Public/Private)	False Claims Statute	Licensing Requirements for Construction Managers
Alabama	Yes	U/A	Yes	Yes	Yes	Yes/Yes	N/A	Yes
Alaska	No	U/A	Yes	N/A	No	Yes/No	N/A	Yes
Arizona	Yes	U/A	Yes	No(pub)	No	Yes/Yes	N/A	Yes
Arkansas	Yes	Yes	No	Yes	Yes	Yes/No	N/A	Yes
California	Yes	Yes	Yes	No (pub)	Yes	Yes/Yes	Yes	U/A
Colorado	Yes	Yes	Yes	No (pub)	Yes	Yes/No	N/A	U/A
Connecticut	Yes	U/A	Yes	Yes	Yes	Yes/Yes	N/A	U/A
Delaware	Yes	Yes	Yes	Yes	Yes	Yes/Yes	Yes	Yes
District of Columbia	Yes	U/A	Yes	Yes	Yes	Yes/Yes	Yes	Yes
Florida	Yes	U/A	Yes	Yes	Yes	Yes/Yes	Yes	U/A
Georgia	Yes	U/A	Yes	Yes	Yes	Yes/Yes	Yes	Yes
Hawaii	Yes	U/A	Yes	N/A	Yes	Yes/Yes	Yes	U/A
Idaho	Yes	U/A	Yes	Yes	Yes	Yes/No	N/A	Yes
Illinois	Yes	U/A	Yes	Yes	Yes	Yes/Yes	Yes	U/A
Indiana	Yes	Yes	Yes	Yes	Yes	Yes/No	Yes	U/A
Iowa	Yes	Yes	Yes	Yes	Yes	Yes/No	Yes	U/A
Kansas	Yes	Yes	Yes	No (pub)	Yes	Yes/Yes	Yes	U/A
Kentucky	Yes	U/A	Yes	No	Yes	Yes/Yes	N/A	U/A
Louisiana	Yes	U/A	No	No (pub)	Yes	Yes/Yes	N/A	Yes
Maine	Yes	U/A	Yes	N/A	Yes	Yes/Yes	N/A	U/A
Maryland	Yes	U/A	Yes	Yes	Yes	Yes/Yes	Yes	U/A
Massachusetts	Yes	Yes	Yes	Yes	Yes	Yes/Yes	Yes	Yes

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U/A – Unanswered – please refer to the full text
 N/A – No Authority
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Michigan	Yes	Yes	Yes	Yes	Yes	Yes/No	N/A	U/A
Minnesota	Yes	U/A	Yes	No (pub)	Yes	Yes/Yes	Yes	No
Mississippi	Yes	Yes	Yes	Yes	Yes	Yes/Yes	N/A	U/A
Missouri	Yes	Yes	Yes	No (pub)	Yes	Yes/Yes	N/A	U/A
Montana	Yes	Yes	No	U/A	Yes	Yes/Yes	Yes	U/A
Nebraska	Yes	Yes	Yes	Yes	Yes	Yes/Yes	N/A	Yes
Nevada	Yes	U/A	Yes	Yes	Yes	Yes/Yes	Yes	Yes
New Hampshire	Yes	U/A	Yes	N/A	Yes	No/No	N/A	No
New Jersey	Yes	Yes	Yes	No (pub)	No	Yes/Yes	Yes	U/A
New Mexico	Yes	Yes	Yes	N/A	No	Yes/Yes	Yes	Yes
New York	Yes	Yes	Yes	Yes	Yes	Yes/Yes	Yes	U/A
North Carolina	Yes	Yes	Yes	No (pub)	Yes	Yes/Yes	Yes	Yes
North Dakota	Yes	U/A	Yes	Yes	Yes	Yes/No	N/A	U/A
Ohio	Yes	Yes	Yes	No	Yes	Yes/Yes	N/A	U/A
Oklahoma	Yes	U/A	Yes	N/A	Yes	Yes/Yes	N/A	No
Oregon	Yes	Yes	Yes	No (pub)	No	Yes/Yes	Yes	Yes
Pennsylvania	Yes	Yes	Yes	Yes	Yes	Yes/Yes	N/A	No
Rhode Island	Yes	Yes	Yes	Yes	Yes	Yes/No	Yes	U/A
South Carolina	Yes	U/A	Yes	Yes	Yes	Yes/Yes	N/A	Yes
South Dakota	Yes	U/A	Yes	N/A	Yes	Yes/No	N/A	U/A
Tennessee	Yes	Yes	Yes	Yes	No	Yes/Yes	Yes	Yes
Texas	Yes	Yes	Yes	Yes	Yes	Yes/Yes	N/A	U/A

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Utah	Yes	U/A	Yes	Yes	Yes	Yes/Yes	N/A	Yes
Vermont	Yes	U/A	Yes	N/A	No	Yes/Yes	Yes	U/A
Virginia	Yes	Yes	Yes	No (pub)	Yes	Yes/No	Yes	Yes
Washington	Yes	U/A	Yes	No	No	Yes/No	N/A	Yes
West Virginia	Yes	U/A	Yes	N/A	Yes	Yes/No	N/A	Yes
Wisconsin	Yes	Yes	Yes	Yes	Yes	Yes/No	N/A	No
Wyoming	Yes	Yes	Yes	U/A	No	Yes/No	N/A	U/A

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