MISSISSIPPI LEGISLATURE                      REGULAR SESSION 2017
By: Representative Johnson (87th)              To: Judiciary A

HOUSE BILL NO. 540

AN ACT TO CREATE THE GOOD SAMARITAN LAW FOR ARCHITECTS AND
ENGINEERS; TO PROVIDE PROTECTION FROM LIABILITY FOR ARCHITECTS AND
ENGINEERS IN EMERGENCY SITUATIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. This act shall be known and may be cited as "The
Good Samaritan Law for Architects and Engineers."

SECTION 2. As used in Sections 2 through 3 of this act, the
following words shall have the following meaning:

(a) "Building inspection official" means an appointed
or elected federal, state or local official with the executive
responsibility to coordinate building inspection in the
jurisdiction in which an emergency or event has occurred;

(b) "Law enforcement official" means an appointed or
elected federal, state or local official with the executive
responsibility to coordinate law enforcement in the jurisdiction
in which an emergency or event has occurred;

(c) "Professional engineer" means a person licensed as
an engineer under a state's engineering licensure laws;
(d) "Public official" means a federal, state, or local elected official with the executive responsibility in the jurisdiction in which an emergency or event has occurred; 

(e) "Public safety official" means an appointed or elected federal, state, or local official with the executive responsibility to coordinate public safety in the jurisdiction in which an emergency or event has occurred; and 

(f) "Registered architect" means a person licensed under a state's architectural licensure laws as a registered architect.

SECTION 3. (1) If a registered architect or professional engineer voluntarily, without compensation other than expense reimbursement, provides architectural, structural, electrical, mechanical or other design professional services related to a declared national, state, or local emergency caused by an earthquake, hurricane, tornado, fire, explosion, collapse or other similar disaster or catastrophic event, at the request of or with the approval of a national, state or local public official, law enforcement official, public safety official or building inspection official believed by the registered architect or professional engineer to be acting in his or her official capacity, the registered architect or professional engineer shall not be liable for any personal injury, wrongful death, property damage or other loss of any nature related to the registered architect's or professional engineer's acts, errors or omissions.
in the performance of any architectural or engineering services
for any structure, building, facility, project utility, equipment,
machine, process, piping or other system, either publicly or
privately owned.

(2) The immunity provided under subsection (1) of this
section shall apply only to a voluntary architectural or
engineering service that occurs during the emergency or within
ninety (90) days following the end of the period for an emergency,
or other similar disaster or catastrophic event, unless extended
by an executive order issued by the Governor under the Governor's
emergency executive powers.

(3) This section does not provide immunity for wanton,
willful or intentional misconduct.

SECTION 4. This act shall take effect and be in force from
and after July 1, 2017.