

By: Representative Johnson (87th)

To: Judiciary A

HOUSE BILL NO. 540

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

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

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

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

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

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

17 (c) "Professional engineer" means a person licensed as  
18 an engineer under a state's engineering licensure laws;



19 (d) "Public official" means a federal, state, or local  
20 elected official with the executive responsibility in the  
21 jurisdiction in which an emergency or event has occurred;

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

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

29 **SECTION 3.** (1) If a registered architect or professional  
30 engineer voluntarily, without compensation other than expense  
31 reimbursement, provides architectural, structural, electrical,  
32 mechanical or other design professional services related to a  
33 declared national, state, or local emergency caused by an  
34 earthquake, hurricane, tornado, fire, explosion, collapse or other  
35 similar disaster or catastrophic event, at the request of or with  
36 the approval of a national, state or local public official, law  
37 enforcement official, public safety official or building  
38 inspection official believed by the registered architect or  
39 professional engineer to be acting in his or her official  
40 capacity, the registered architect or professional engineer shall  
41 not be liable for any personal injury, wrongful death, property  
42 damage or other loss of any nature related to the registered  
43 architect's or professional engineer's acts, errors or omissions



44 in the performance of any architectural or engineering services  
45 for any structure, building, facility, project utility, equipment,  
46 machine, process, piping or other system, either publicly or  
47 privately owned.

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

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

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

