

By: Senator(s) Burton

To: Judiciary, Division A

SENATE BILL NO. 2804

1 AN ACT TO PROVIDE CIVIL IMMUNITY FROM LIABILITY RESULTING
 2 FROM PERSONAL INJURY, WRONGFUL DEATH PROPERTY DAMAGE OR OTHER LOSS
 3 CAUSED BY A PROFESSIONAL ENGINEER'S OR ARCHITECT'S ACTS, ERRORS OR
 4 OMISSIONS IN THE PERFORMANCE OF VOLUNTARY PROFESSIONAL SERVICES
 5 PROVIDED UNDER EMERGENCY SITUATIONS CAUSED BY CATASTROPHIC EVENTS;
 6 TO PROVIDE THAT SUCH IMMUNITY DOES NOT APPLY IF THE INJURY RESULTS
 7 FROM GROSS NEGLIGENCE OR WILLFUL MISCONDUCT; AND FOR RELATED
 8 PURPOSES.

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

10 **SECTION 1.** (1) No duly licensed or registered architect or
 11 engineer in the State of Mississippi shall be liable for any civil
 12 damages, personal injury, wrongful death, property damage or other
 13 loss caused by the professional architect's or engineer's acts,
 14 errors or omissions in the performance of voluntary professional
 15 services for the first ninety (90) days after a declared emergency
 16 or natural disaster, as a result of any acts committed in good
 17 faith and in the exercise of reasonable care by such professional
 18 architect or engineer.

19 (2) The immunity provided in subsection (1) of this section
 20 shall not be applicable if the personal injury results from the
 21 gross negligence or willful or wanton misconduct of the



22 professional architect or professional engineer rendering the
23 service.

24 **SECTION 2.** This act shall take effect and be in force from
25 and after July 1, 2018.

