

By the Committee on Judiciary; and Senator Bradley

590-02339-21

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1 A bill to be entitled
2 An act relating to limitation of liability for
3 voluntary engineering or architectural services;
4 creating s. 768.38, F.S.; defining the term
5 "structures specialist"; exempting engineers,
6 architects, and structures specialists from liability
7 for certain voluntary engineering or architectural
8 services under certain circumstances; providing
9 applicability; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 768.38, Florida Statutes, is created to
14 read:

15 768.38 Limitation of liability for certain voluntary
16 engineering or architectural services.-

17 (1) For the purposes of this section, the term "structures
18 specialist" means a person who has been trained by, and holds a
19 current certification from, the United States Army Corps of
20 Engineers as a structures specialist.

21 (2) An engineer as defined in s. 471.005, an architect as
22 defined in s. 481.203, or a structures specialist, and any
23 qualified business organization of such person, who voluntarily
24 provides engineering or architectural services related to a
25 declared federal, state, or local emergency may not be held
26 liable for any personal injury, wrongful death, property damage,
27 or other economic loss related to his or her acts or omissions
28 in the performance of his or her services, unless the act or
29 omission constituted gross negligence or willful misconduct.

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30 (3) The immunity from liability under this section also
31 applies to any person who is licensed or registered as an
32 engineer or architect in any other jurisdiction and who is
33 rendering aid in this state as a member of a mobile support unit
34 of another state.

35 (4) The immunity from liability under this section applies
36 only to services provided during, or within 90 calendar days
37 after the end of, a declared federal, state, or local emergency.

38 Section 2. This act shall take effect July 1, 2021.