

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Civil Justice & Property Rights Subcommittee

Representative Tuck offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

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

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

(2) An engineer as defined in s. 471.005, an architect as defined in s. 481.203, or a structures specialist, and any

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17 qualified business organization of such person, who voluntarily
18 participates in emergency response activities by providing
19 engineering or architectural services while under the direction
20 of, or in connection with, a community emergency response team,
21 a local emergency management agency, the Division of Emergency
22 Management, or the Federal Emergency Management Agency in
23 response to a declared federal, state, or local emergency, may
24 not be held liable for any personal injury, wrongful death,
25 property damage, or other economic loss related to his or her
26 acts or omissions in the performance of his or her services,
27 unless the act or omission constituted gross negligence or
28 willful misconduct.

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

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

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

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40 **T I T L E A M E N D M E N T**

41 Remove everything before the enacting clause and insert:

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42 A bill to be entitled
43 An act relating to limitation of liability for
44 voluntary engineering or architectural services;
45 creating s. 768.38, F.S.; defining the term
46 "structures specialist"; exempting engineers,
47 architects, and structures specialists from liability
48 for certain voluntary engineering or architectural
49 services under certain circumstances; providing
50 applicability; providing an effective date.