

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 participates in emergency response activities by providing
 25 engineering or architectural services while under the direction

26 of, or in connection with, a community emergency response team,
27 a local emergency management agency, the Division of Emergency
28 Management, or the Federal Emergency Management Agency in
29 response to a declared federal, state, or local emergency, may
30 not be held liable for any personal injury, wrongful death,
31 property damage, or other economic loss related to his or her
32 acts or omissions in the performance of his or her services,
33 unless the act or omission constituted gross negligence or
34 willful misconduct.

35 (3) The immunity from liability under this section also
36 applies to any person who is licensed or registered as an
37 engineer or architect in any other jurisdiction and who is
38 rendering aid in this state as a member of a mobile support unit
39 of another state.

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

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