

CS/CS/SB 1964 — Design Professionals

by Judiciary Committee; Regulated Industries Committee; and Senator Negron

The bill limits the tort liability of licensed engineers, surveyors and mappers, architects, interior designers, and landscape architects (design professionals). More specifically, the bill limits the potential tort claims for recovery of economic damages resulting from a construction defect that may be filed by a claimant contracting for the professional services of a design professional.

The tort liability limitation for design professionals does not apply if:

- The contract requires professional liability insurance and the liability of the design professional is limited in the contract to an amount less than the liability insurance coverage required by the contract;
- The claim relates to economic damages resulting from personal injury;
- The claim relates to damage to property that is not the subject of the contract;
- The contract or agreement was entered into before July 1, 2010; or
- The professional services were performed before July 1, 2010.

The bill also amends the individual practice acts governing the design professionals to conform the professional liability provisions for the design professional to the liability limitation created in the bill.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 33-4; House 111-2