

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015

A Bill

HOUSE BILL 1392

4
5 By: Representative House

For An Act To Be Entitled

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8 AN ACT TO CREATE A GOOD SAMARITAN LAW FOR ARCHITECTS;
9 TO AMEND THE LAW CONCERNING ARCHITECTS; TO PROVIDE
10 PROTECTION TO CERTAIN ARCHITECTS PROVIDING VOLUNTEER
11 SERVICES; AND FOR OTHER PURPOSES.
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Subtitle

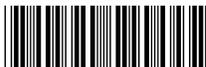
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15 TO CREATE A GOOD SAMARITAN LAW FOR
16 ARCHITECTS; TO AMEND THE LAW CONCERNING
17 ARCHITECTS; AND TO PROVIDE PROTECTION TO
18 CERTAIN ARCHITECTS PROVIDING VOLUNTEER
19 SERVICES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 17, Chapter 15, Subchapter 1, is
25 amended to add an additional section to read as follows:

26 17-15-106. Good "Samaritan" law.

27 (a) If a registered architect or professional engineer voluntarily,
28 without compensation other than expense reimbursement, provides
29 architectural, structural, electrical, mechanical, or other design
30 professional services related to a declared national, state, or local
31 emergency caused by an earthquake, hurricane, tornado, fire, explosion,
32 collapse, or other similar disaster or catastrophic event, at the request of
33 or with the approval of a national, state, or local public official, law
34 enforcement official, public safety official, or building inspection official
35 believed by the registered architect or professional engineer to be acting in
36 his or her official capacity, the registered architect or professional



1 engineer shall not be liable for any personal injury, wrongful death,
2 property damage, or other loss of any nature related to the registered
3 architect's or professional engineer's acts, errors, or omissions in the
4 performance of any architectural or engineering services for any structure,
5 building, facility, project utility, equipment, machine, process, piping, or
6 other system, either publicly or privately owned.

7 (b) The immunity provided under subsection (a) of this section shall
8 apply only to a voluntary architectural or engineering service that occurs
9 during the emergency or within ninety (90) days following the end of the
10 period for an emergency, or other similar disaster or catastrophic event,
11 unless extended by an executive order issued by the Governor under the
12 Governor's emergency executive powers.

13 (c) This section does not provide immunity for wanton, willful, or
14 intentional misconduct.

15 (d) As used in this section:

16 (1) "Building inspection official" means an appointed or elected
17 federal, state, or local official with the executive responsibility to
18 coordinate building inspection in the jurisdiction in which an emergency or
19 event has occurred;

20 (2) "Law enforcement official" means an appointed or elected
21 federal, state, or local official with the executive responsibility to
22 coordinate law enforcement in the jurisdiction in which an emergency or event
23 has occurred;

24 (3) "Professional engineer" means a person licensed as an
25 engineer under § 17-30-101 et seq., § 17-30-201 et seq., and § 17-30-301 et
26 seq.;

27 (4) "Public official" means a federal, state, or local elected
28 official with the executive responsibility in the jurisdiction in which an
29 emergency or event has occurred;

30 (5) "Public safety official" means an appointed or elected
31 federal, state, or local official with the executive responsibility to
32 coordinate public safety in the jurisdiction in which an emergency or event
33 has occurred; and

34 (6) "Registered architect" means a person licensed under a
35 state's architectural licensure laws as a registered architect.

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