

Senate File 376 - Introduced

SENATE FILE 376
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SSB 1140)

A BILL FOR

1 An Act providing for immunity from civil liability for
2 registered architects and professional engineers providing
3 disaster emergency assistance under specified circumstances.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 29C.20C Immunity — registered
2 architects and professional engineers.

3 An architect registered pursuant to chapter 544A or a
4 professional engineer licensed pursuant to chapter 542B who,
5 during a disaster emergency as proclaimed by the governor or
6 a major disaster as declared by the president of the United
7 States, in good faith and at the request of or with the
8 approval of a national, state, or local public official, law
9 enforcement official, public safety official, or building
10 inspection official believed by the registered architect or
11 professional engineer to be acting in an official capacity,
12 voluntarily and without compensation provides architectural,
13 engineering, structural, electrical, mechanical, or other
14 design professional services related to the disaster emergency
15 shall not be liable for civil damages for any acts or omissions
16 resulting from the services provided, unless such acts or
17 omissions constitute recklessness or willful and wanton
18 misconduct. A registered architect or professional engineer
19 who receives expense reimbursement for the performance of
20 services described in this section shall not be considered to
21 have received compensation for such services.

22 EXPLANATION

23 This bill confers immunity from civil liability for
24 registered architects and professional engineers providing
25 assistance pursuant to a disaster emergency declared by the
26 governor or a major disaster declared by the president of the
27 United States pursuant to Code chapter 29C. The bill provides
28 that when architectural, engineering, structural, electrical,
29 mechanical, or other design professional services are rendered
30 in good faith at the request of or with the approval of a
31 national, state, or local public official, law enforcement
32 official, public safety official, or building inspection
33 official believed by the registered architect or professional
34 engineer to be acting in an official capacity, and are rendered
35 voluntarily and without compensation, a registered architect

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1 or professional engineer shall not be liable for civil damages
2 for any acts or omissions resulting from the services provided,
3 unless such acts or omissions constitute recklessness or
4 willful and wanton misconduct. The bill provides that receipt
5 of expense reimbursement for services performed shall not be
6 regarded as compensation for such services.