

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

House Bill 1125 (Delegates Bissett and Harkins)  
Judiciary

Referred to Judicial Proceedings

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**Professional Engineers - Voluntary Practice of Engineering at Scene of Emergency,  
Disaster, or Catastrophic Event - Immunity**

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This amended bill provides that a professional engineer is not personally liable beyond the limits of any applicable insurance for any loss caused by an act, error, or omission that was not wanton, willful, intentionally tortious, or grossly negligent; was voluntarily performed without compensation at the scene of an emergency, disaster, or catastrophic event at the request of a specified official acting in an official capacity. The immunity provided by the bill applies while a state of emergency is in effect. The bill (1) does not create a new cause of action or substantive legal right against a professional engineer; (2) does not affect immunities from civil liability or defenses already established; and (3) may only be construed prospectively.

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**Fiscal Summary**

**State Effect:** None. The bill would not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** Potential meaningful effect on the 13,000 State licensed professional engineers that are employed by small businesses. To the extent that these engineers are currently being held liable for any unintentional loss, error, or omission during the performance of officially requested engineering duties at the scene of an emergency, liability for such assistance would decrease significantly as a result of the immunity provided by the bill.

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**Information Source(s):** Department of Labor, Licensing, and Regulation; Maryland Society of Professional Engineers

**Fiscal Note History:** First Reader - March 3, 1997

brd Revised - Third Reader - March 25, 1997

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Analysis by: Shelley Finlayson

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710