

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 394 (Delegates Bissett and Harkins)

Judiciary

Architects - Emergencies - Voluntary Practice of Architecture - Immunity

This bill provides that a licensed architect is not personally liable in damages beyond the limits of any applicable insurance for any personal injury, wrongful death, property damage, or other loss caused by an act, error, or omission of the architect while practicing architecture with regard to any structure or other architectural design, if the act, error, or omission was not wanton, willful, intentionally tortious, or grossly negligent, and the practice of architecture was performed: (1) voluntarily and without compensation; (2) at the scene of a declared national, state, or local emergency caused by a major earthquake, hurricane, tornado, fire, explosion, collapse, or similar disaster or catastrophic event; and (3) at the request of a public official, law enforcement official, public safety official, fire official, or building inspection official, acting in an official capacity.

The bill is to be applied prospectively only and may not be applied to any cause of action arising before the bill's October 1, 1998 effective date.

Fiscal Summary

State Effect: None. The bill does not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - March 5, 1998

tlw

Analysis by: Claire E. Rooney

Direct Inquiries to:

Reviewed by: David F. Roose

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710