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By: **Delegate Wood**

Introduced and read first time: January 16, 2002

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Third Party Liability - Design Professionals**

3 FOR the purpose of prohibiting a person from bringing an action against a design  
4 professional under certain circumstances; defining a certain term; and generally  
5 relating to workers' compensation and design professionals.

6 BY adding to

7 Article - Labor and Employment

8 Section 9-904

9 Annotated Code of Maryland

10 (1999 Replacement Volume and 2001 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Labor and Employment**

14 9-904.

15 (A) FOR THE PURPOSES OF THIS SECTION, "DESIGN PROFESSIONAL" MEANS  
16 AN INDIVIDUAL WHO IS LICENSED BY THE STATE AS AN ARCHITECT, PROFESSIONAL  
17 ENGINEER, LANDSCAPE ARCHITECT, LAND SURVEYOR, OR A REPRESENTATIVE OR  
18 EMPLOYEE OF THE INDIVIDUAL.

19 (B) NOTWITHSTANDING THE PROVISIONS OF § 9-901 OF THIS SUBTITLE, A  
20 PERSON MAY NOT BRING AN ACTION FOR DAMAGES UNDER THIS SUBTITLE AGAINST  
21 A DESIGN PROFESSIONAL FOR INJURY ON A CONSTRUCTION SITE, UNLESS THE  
22 INJURY IS CAUSED BY THE NEGLIGENT PREPARATION OF DESIGN PLANS OR  
23 SPECIFICATIONS BY THE DESIGN PROFESSIONAL.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2002.