**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4745**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Bingham

Document Path: l:\council\bills\dka\3937sd12.docx

Companion/Similar bill(s): 1137

Introduced in the House on February 8, 2012

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Architects and Engineers Volunteer Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/8/2012 House Introduced and read first time ([House Journal‑page 13](file:///h:\hj%20archive\2012\02-08-12.docx))

2/8/2012 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 13](file:///h:\hj%20archive\2012\02-08-12.docx))

**VERSIONS OF THIS BILL**

[2/8/2012](file:///p:\pprever\2011-12\4745_20120208.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED EMERGENCY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “Architects’ and Engineers’ Volunteer Act”.

SECTION 2. Chapter 3, Title 40 of the 1976 Code is amended by adding:

“Section 40‑3‑325. A registered architect under the provisions of this chapter is immune from liability for volunteer architectural services during an emergency in the same manner as a registered engineer is immune for volunteer engineering services as provided in Section 40‑22‑295.”

SECTION 3. Chapter 22, Title 40 of the 1976 Code is amended by adding:

“Section 40‑22‑295. (A) As used in this section:

(1) ‘Public official’ means a federal, state, or locally elected official with overall executive responsibility in the jurisdiction in which the emergency or event has occurred.

(2) ‘Public safety official’ means an appointed or elected federal, state, or local official with overall executive responsibility to coordinate public safety in the jurisdiction in which the emergency or event has occurred.

(3) ‘Law enforcement official’ means an appointed or elected federal, state, or local official with overall executive responsibility to coordinate law enforcement in the jurisdiction in which the emergency or event has occurred.

(4) ‘Building inspection official’ means an appointed or elected federal, state, or local official with overall executive responsibility to coordinate building inspection in the jurisdiction in which the emergency or event has occurred.

(B) A registered engineer or architect who voluntarily, without compensation, provides structural, electrical, mechanical, or other engineering or architectural services at the scene of a declared national, state, or local emergency caused by a major earthquake, hurricane, tornado, fire, explosion, collapse, or other similar disaster or catastrophic event at the request of a public official, law enforcement official, public safety official, or building inspection official acting in an official capacity, is not liable for any personal injury, wrongful death, property damage, or other loss caused by the registered engineer’s or architect’s acts, errors, or omissions in performing the engineering or architectural services for a structure, building, piping, or other engineered system, either publicly or privately owned.

(C) The immunity provided in this section only applies to a voluntary engineering or architectural service that occurs within ninety days of the emergency, disaster, or catastrophic event, unless extended by an executive order issued by the Governor under the Governor’s emergency executive powers.

(D) Nothing in this section provides immunity to a registered engineer or architect for wanton, wilful, or intentional misconduct.”

SECTION 4. This act takes effect upon approval by the Governor.

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