

State of South Dakota

EIGHTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2007

400N0302

SENATE BILL NO. 37

Introduced by: The Committee on Commerce at the request of the Board of Technical Professions

1 FOR AN ACT ENTITLED, An Act to provide certain immunity for architects and engineers
2 in cases of declared emergencies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 36-18A be amended by adding thereto a NEW SECTION to read
5 as follows:

6 No architect or engineer, who voluntarily, without compensation, or expectation of
7 compensation, provides professional services at the scene of a declared national, state, or local
8 emergency at the request of a public official, public safety officer, or city or county building
9 inspector acting in an official capacity, is liable in negligence for any personal injury, wrongful
10 death, or property damage caused by the licensee's good faith but negligent inspection of a
11 structure used for human habitation or a structure owned by a public entity for structural
12 integrity or non-structural elements affecting life and safety. The immunity provided by this
13 section applies only for services that occur within thirty days of the declared emergency.

