

CHAPTER 2021-102

Committee Substitute for Committee Substitute for Senate Bill No. 1060

An act relating to limitation of liability for voluntary engineering or architectural services; creating s. 768.38, F.S.; defining the term “structures specialist”; exempting engineers, architects, and structures specialists from liability for certain voluntary engineering or architectural services under certain circumstances; providing applicability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 768.38, Florida Statutes, is created to read:

768.38 Limitation of liability for certain voluntary engineering or architectural services.—

(1) For the purposes of this section, the term “structures specialist” means a person who has been trained by, and holds a current certification from, the United States Army Corps of Engineers as a structures specialist.

(2) An engineer as defined in s. 471.005, an architect as defined in s. 481.203, or a structures specialist, and any qualified business organization of such person, who voluntarily participates in emergency response activities by providing engineering or architectural services while under the direction of, or in connection with, a community emergency response team, a local emergency management agency, the Division of Emergency Management, or the Federal Emergency Management Agency in response to a declared federal, state, or local emergency, may not be held liable for any personal injury, wrongful death, property damage, or other economic loss related to his or her acts or omissions in the performance of his or her services, unless the act or omission constituted gross negligence or willful misconduct.

(3) The immunity from liability under this section also applies to any person who is licensed or registered as an engineer or architect in any other jurisdiction and who is rendering aid in this state as a member of a mobile support unit of another state.

(4) The immunity from liability under this section applies only to services provided within 90 days of the first declaration of a particular federal, state, or local emergency.

Section 2. This act shall take effect July 1, 2021.

Approved by the Governor June 16, 2021.

Filed in Office Secretary of State June 16, 2021.