

2024 -- H 7937

LC005202

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS

Introduced By: Representatives Cotter, Tanzi, Cortvriend, Casimiro, Edwards,  
Speakman, Donovan, McEntee, Morales, and McGaw

Date Introduced: March 05, 2024

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-1-16 of the General Laws in Chapter 5-1 entitled "Architects" is  
2 hereby amended to read as follows:

3 **5-1-16. Architects rendering assistance during disaster emergency — Immunity from**  
4 **civil liability.**

5 (a) An architect or architectural firm, duly licensed to practice in Rhode Island under this  
6 chapter, who or that voluntarily and without compensation provides architectural services at the  
7 scene of a disaster emergency is not liable for any personal injury, wrongful death, property  
8 damage, or other loss or damages caused by an act or omission of the architect or architectural firm  
9 in performing the services.

10 (b) An architect or architectural firm, duly licensed to practice in Rhode Island under this  
11 chapter, who or that voluntarily and without compensation provides architectural services at the  
12 scene of a disaster emergency and all authorized disaster response workers who, shall in the course  
13 of performing their duties as such, practice professional, mechanical, or other skill during a disaster  
14 emergency, in the absence of benefits provided by law, shall be considered state employees and  
15 shall be entitled to all rights in like manner as state employees under the provisions of chapters 29  
16 through 38 of title 28, and under the provisions of § 9-31-8.

17 ~~(c)~~ As used in this section, "disaster emergency" means a disaster emergency declared  
18 by executive order or proclamation of the governor pursuant to chapter 15 of title 30.

19 ~~(d)~~ The immunity provided in subsection (a) of this section applies only to the practice

1 of architecture as defined in this chapter regarding an architectural service that:

2 (1) Concerns any building, structure, or system, whether publicly or privately owned, that  
3 is identified pursuant to a disaster emergency executive order or proclamation;

4 (2) Relates to the structural integrity of the entire building, structure, or system, or any  
5 portion of the structure or system, or to a nonstructural element of the structure or system, affecting  
6 public safety; and

7 (3) Is rendered during the time in which a state of disaster emergency exists, as provided  
8 in chapter 15 of title 30.

9 ~~(d)~~(e) The immunity granted by this section shall not apply to acts or omissions constituting  
10 gross negligence or willful misconduct.

11 ~~(e)~~(f) In the event that the governor of Rhode Island declares a state disaster, all registered  
12 architects with a National Council of Architectural Registration Boards (NCARB) certification will  
13 be allowed to practice for a period of ninety (90) days from the date of the declared disaster.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would provide that architects and other authorized disaster response workers be  
2 considered, in the course of performing their duties, state workers and be entitled to all rights in  
3 like manner as state employees.

4           This act would take effect upon passage.

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