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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS

Introduced By: Senators Bissaillon, and DiMario

Date Introduced: May 29, 2024

Referred To: Senate Labor

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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RELATING TO BUSINESSES AND PROFESSIONS -- ARCHITECTS

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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