

AN ACT

ENTITLED, An Act to provide limitation on liability for certain architects and engineers.

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

Section 1. That chapter 36-18A be amended by adding a NEW SECTION to read:

No architect or engineer may be held liable for personal injury, wrongful death, property damage, or other loss related to any architectural, structural, electrical, mechanical, or other professional design service provided by the architect or engineer, voluntarily or without compensation, at the request or approval of a national, state, or local public official in response to a declared national, state, or local emergency caused by a tornado, fire, explosion, collapse or other similar disaster or catastrophic event. This section applies to services rendered within ninety days following the end of the declared emergency, disaster, or catastrophic event unless extended by executive order of the Governor. Limited liability under this section does not apply if the injury, death, or damage is the result of gross negligence or willful or wanton misconduct. For the purposes of this section compensation does not include reimbursement for expenses.

An Act to provide limitation on liability for certain architects and engineers

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I certify that the attached Act  
originated in the

SENATE as Bill No. 145

\_\_\_\_\_  
Secretary of the Senate

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\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

Senate Bill No. 145

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

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Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor

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The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

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STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State