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HOUSE BILL 511

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Jeannette O. Wallace

AN ACT

RELATING TO PROFESSIONAL SERVICES; PROVIDING GOOD SAMARITAN  
COVERAGE TO ARCHITECTS AND CONSTRUCTION CONTRACTORS WHO  
VOLUNTEER IN DISASTERS OR CATASTROPHIC EVENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Construction Industries  
Licensing Act is enacted to read:

" [NEW MATERIAL] GOOD SAMARITAN--VOLUNTEER SERVICES AT  
DISASTER. --

A. A contractor who voluntarily and without  
compensation provides contracting services at the scene of a  
declared national, state or local emergency caused by a major  
earthquake, hurricane, tornado, fire, explosion, flood,  
collapse or other similar disaster or catastrophic event shall  
not be liable for any personal injury, wrongful death,

underscored material = new  
[bracketed material] = delete

1 property damage or other loss caused by the contractor's acts,  
2 errors or omissions in the performance of the contracting  
3 services.

4 B. The immunity provided for in this section shall  
5 apply only to a voluntary contracting service that occurs  
6 within thirty days of the emergency, disaster or catastrophic  
7 event unless extended by an executive order issued by the  
8 governor pursuant to the governor's emergency executive  
9 powers. Nothing in this section shall be construed to provide  
10 immunity for wanton, willful or intentional misconduct or to a  
11 person whose act or omission caused the disaster or  
12 catastrophic event. "

13 Section 2. A new section of the Architectural Act is  
14 enacted to read:

15 "[NEW MATERIAL] GOOD SAMARITAN--VOLUNTEER SERVICES AT  
16 DISASTER. --

17 A. An architect who voluntarily and without  
18 compensation provides architectural services at the scene of a  
19 declared national, state or local emergency caused by a major  
20 earthquake, hurricane, tornado, fire, explosion, flood,  
21 collapse or other similar disaster or catastrophic event shall  
22 not be liable for any personal injury, wrongful death,  
23 property damage or other loss caused by the architect's acts,  
24 errors or omissions in the performance of the architectural  
25 services.

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