



March 20, 2013

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**ENGROSSED  
HOUSE BILL No. 1027**

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DIGEST OF HB 1027 (Updated March 19, 2013 12:52 pm - DI 106)

**Citations Affected:** IC 34-30.

**Synopsis:** Civil immunity for services in emergency. Provides civil immunity to a registered architect, land surveyor, or professional engineer who provides, without compensation, professional services related to a declared emergency.

**Effective:** Upon passage.

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**Messmer**

(SENATE SPONSORS — MERRITT, LANANE)

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January 7, 2013, read first time and referred to Committee on Judiciary.  
February 5, 2013, amended, reported — Do Pass.  
February 7, 2013, read second time, amended, ordered engrossed.  
February 8, 2013, engrossed.  
February 11, 2013, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Civil Law.  
March 19, 2013, amended, reported favorably — Do Pass.

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EH 1027—LS 6562/DI 118+



March 20, 2013

First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1027

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A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 34-30-27 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 27. Volunteer Professional Services of a Registered**  
5 **Architect, Land Surveyor, or Professional Engineer Related to a**  
6 **Declared Emergency**

7 **Sec. 1. An architect registered under IC 25-4-1, a land surveyor**  
8 **registered under IC 25-21.5, or a professional engineer registered**  
9 **under IC 25-31-1 who, after May 31, 2013, voluntarily, without**  
10 **compensation (other than expense reimbursement), provides**  
11 **architectural, structural, electrical, mechanical, or professional**  
12 **services:**

- 13 (1) **related to a declared national, state, or local emergency**  
14 **caused by an earthquake, hurricane, tornado, fire, explosion,**  
15 **gale, severe storm, flood, or collapse; and**  
16 (2) **at the request of or with the approval of a federal or state**  
17 **official with executive responsibility in the jurisdiction to**

EH 1027—LS 6562/DI 118+



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1           **coordinate:**  
2           **(A) law enforcement;**  
3           **(B) public safety; or**  
4           **(C) building inspection;**  
5           **believed by the registered architect, land surveyor, or**  
6           **professional engineer to be acting in an official capacity;**  
7           **is not liable for any personal injury, wrongful death, property**  
8           **damage, or other loss of any nature related to the registered**  
9           **architect's, land surveyor's, or professional engineer's acts, errors,**  
10           **or omissions in the performance of the services.**  
11           **Sec. 2. The immunity provided in this chapter applies only to**  
12           **voluntary architectural, surveying, or engineering services**  
13           **provided during the emergency, or not more than thirty (30) days**  
14           **after the end of the period for the emergency, described in section**  
15           **1 of this chapter, unless extended by an executive order issued by**  
16           **the governor under the governor's emergency executive powers.**  
17           **Sec. 3. This chapter does not provide immunity for wanton,**  
18           **willful, or intentional misconduct.**  
19           **SECTION 2. An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1027, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, after "Architect" insert ", **Land Surveyor,**".

Page 1, line 7, delete "IC 25-4-1" and insert "**IC 25-4-1, a land surveyor registered under IC 25-21.5,**".

Page 1, line 13, after "explosion," insert "**gale, severe storm, flood, or**".

Page 1, line 14, delete "collapse, or other similar disaster or catastrophic event;" and insert "**collapse;**".

Page 1, line 15, delete "federal, state, or" and insert "**federal or state**".

Page 1, line 16, delete "local public".

Page 2, line 12, delete "ninety (90)" and insert "**thirty (30)**".

and when so amended that said bill do pass.

(Reference is to HB 1027 as introduced.)

STEUERWALD, Chair

Committee Vote: yeas 11, nays 0.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1027 be amended to read as follows:

Page 2, line 5, delete "architect" and insert "**architect, land surveyor,**".

Page 2, line 9, delete "architect's" and insert "**architect's, land surveyor's,**".

Page 2, line 12, delete "architectural" and insert "**architectural, surveying,**".

(Reference is to HB 1027 as printed February 5, 2013.)

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COMMITTEE REPORT

Madam President: The Senate Committee on Civil Law, to which was referred House Bill No. 1027, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 11, delete "other design".

and when so amended that said bill do pass.

(Reference is to HB 1027 as reprinted February 8, 2013.)

ZAKAS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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