

1 reimbursement, provides architectural, structural, electrical,
2 mechanical or other design professional services related to a
3 declared national, state or local emergency caused by a natural
4 disaster or catastrophic event, at the request of or with the
5 approval of a national, state or local public official, law
6 enforcement official, public safety official or building inspection
7 official believed by the licensed architect or professional engineer
8 to be acting in an official capacity, shall not be liable for any
9 personal injury, wrongful death, property damage or other loss of
10 any nature related to the licensed architect's or professional
11 engineer's acts or omissions in the performance of such professional
12 services for any publicly or privately owned structure, building,
13 facility, project utility, equipment, machine, process, piping or
14 other system. Nothing in this section shall provide immunity for
15 injury or damage resulting from gross negligence or willful or
16 wanton misconduct in rendering the emergency professional services.
17 The immunity provided in this section shall apply only to a
18 voluntary architectural or engineering service that occurs during
19 the emergency or within ninety (90) days following the end of the
20 period for an emergency, disaster or catastrophic event, unless
21 extended by an executive order issued by the Governor under the
22 Governor's emergency executive powers.

23 B. In the event a natural disaster or catastrophic event
24 described pursuant to subsection A of this section occurs, and the

1 services of licensed architects or professional engineers who
2 provide architectural, structural, electrical, mechanical or other
3 design professional services are required, but the number of
4 professional persons licensed or registered in this state is
5 insufficient for such purpose, any person licensed or registered in
6 another state to practice such profession and who is a member of a
7 mobile support team or unit of the licensing state, may inspect and
8 placard structures for safety and habitability in this state upon
9 request by the Governor of this state and order of the Governor of
10 the person's home state without being licensed or registered in this
11 state. Out-of-state licensed architects or professional engineers
12 who inspect and placard structures for safety and habitability under
13 these conditions shall not be liable for any personal injury,
14 wrongful death, property damage or other loss related to the
15 licensed architect's or professional engineer's acts or omissions in
16 the performance of such emergency professional services for any
17 publicly or privately owned structure, building, facility, project
18 utility, equipment, machine, process, piping or other system.
19 Nothing in this section shall provide immunity for injury or damage
20 resulting from gross negligence or willful or wanton misconduct in
21 rendering the emergency professional services. The immunity
22 provided in this section shall apply only to a voluntary
23 architectural or engineering service of inspecting and placarding
24 structures for safety and habitability that occurs during the

1 emergency or within ninety (90) days following the end of the period
2 for an emergency, disaster or catastrophic event, unless extended by
3 an executive order issued by the Governor of this state under the
4 Governor's emergency executive powers.

5 C. For the purposes of this section:

6 1. "Building inspection official" means any appointed or
7 elected federal, state or local official with executive
8 responsibility to coordinate building inspection in the jurisdiction
9 in which the emergency or event has occurred;

10 2. "Law enforcement official" means any appointed or elected
11 federal, state or local official with executive responsibility to
12 coordinate law enforcement in the jurisdiction in which the
13 emergency or event has occurred;

14 3. "Licensed architect" means a person duly licensed pursuant
15 to Section 46.1 et seq. of Title 59 of the Oklahoma Statutes;

16 4. "Professional engineer" means a person duly licensed and
17 registered pursuant to Section 475.1 et seq. of Title 59 of the
18 Oklahoma Statutes;

19 5. "Public official" means any elected federal, state or local
20 official with executive responsibility in the jurisdiction in which
21 the emergency or event has occurred; and

22 6. "Public safety official" means any appointed or elected
23 federal, state or local official with executive responsibility to
24

1 coordinate public safety in the jurisdiction in which the emergency
2 or event has occurred.

3 SECTION 2. This act shall become effective November 1, 2013.
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5 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL
6 SERVICES, dated 04/11/2013 - DO PASS, As Amended.
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