The following has special meaning:
green underline denotes added text
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HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 529

CHAPTER NO. 217

Ways and Means Committee

AN ACT

RELATING TO PARTIES TO ACTIONS; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-345, IDAHO CODE, TO PROVIDE CIVIL IMMUNITY FOR ARCHITECTS, ENGINEERS, AND CONTRACTORS IN CERTAIN INSTANCES AND TO PROVIDE APPLICABILITY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 3, Title 5, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 5-345, Idaho Code, and to read as follows:

5-345. Immunity for aid during an emergency. (1) No architect, engineer, or contractor may be held liable for personal injury, wrongful death, property damage, or other loss related to any architectural, structural, electrical, mechanical, construction, design, or other professional service provided by the architect or engineer, voluntarily or without compensation, or the contractor at the request or approval of a national, state, or local public official in response to a declared national, state, or local emergency, a disaster, or a catastrophic event. The provisions of this subsection shall apply to services rendered within ninety (90) days following the end of the declared emergency, disaster, or catastrophic event unless extended by executive order of the governor.

(2) Limited liability under this section shall not apply if the injury, death, or damage is the result of unreasonable acts, gross negligence, or willful or wanton misconduct or if the architect, engineer, or contractor did not act as a reasonable architect, engineer, or contractor would have under the same or similar circumstances.

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