THE AMERICAN INSTITUTE OF ARCHITECTS

Issue Brief

The American Institute of Architects • Government Advocacy • Current Issue Position and Analysis

Good Samaritan Provisions

Key Points:

States that have established Good Samaritan statutes for architects:

- *Alabama*
- *Arizona*
- *California*
- *Colorado*
- *Connecticut*
- *Delaware*
- *Florida*
- *Georgia*
- *Illinois*
- *Kansas*
- *Kentucky*
- *Louisiana*
- *Maryland*
- *Michigan*
- *Missouri*
- *North Carolina*
- *North Dakota*
- *Oregon*
- *Pennsylvania*
- *Rhode Island*
- *Tennessee*
- *Texas*
- *Utah*
- *Virginia*
- *Washington*

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Good Samaritan Provisions for the Architectural Profession

AIA Position

The American Institute of Architects supports legislation that protects licensed architects from being held liable for voluntary services provided during a government-declared disaster.

Action Sought

The AIA urges state legislators to support legislation that would enact Good Samaritan provisions for licensed architects.

Explanation and Justification

During a disaster, whether man-made or natural, state or local governments may not have the resources to respond adequately to the challenges that confront them. Architects are often willing to volunteer their time and services if asked by government agencies to ensure the preservation of a community's health, safety, and welfare.

During such situations, a licensed architect may be exposed to questions of liability even though he or she is acting in good faith to preserve the safety of a community. While most states have statutes that cover certain volunteers from liability during an emergency situation, it is questionable if these statutes would shield an architect from liability if he or she is called upon to render professional services in a time of crisis. This ambiguity needs to be removed by passing Good Samaritan legislation.

Many states have extended immunity from liability to doctors and various other professionals who are needed during a crisis. Immunity from liability allows these professions to volunteer more readily and gives the public access to crucial services during major disasters.

Similarly, some states have recognized the importance of giving licensed architects immunity during a disaster. States ranging in size and population from Colorado to Washington have adopted such legislation. For the public good it is important that other states follow suit and pass Good Samaritan laws for architects.

For more information contact the State and Local Affairs team at 202-626-7507 or govaffs@aia.org.

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