

Update on Good Samaritan Legislation for Structural Engineer Emergency Responders

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From the State House, there is promising news on the progress of Bill No. S.795, the “Good Samaritan” bill that would provide liability protection for engineers, architects and other building professionals when they volunteer their services to help emergency management agencies after a disaster.



SEAMASS has been active in advocating for this bill’s passage in order to allow the organization of a state-wide emergency responder group of structural engineers and other disciplines that would stand ready to help assess damage over a wide-spread area in the event that a catastrophe overwhelms the assessment capabilities of local authorities. This emerging group, the Massachusetts Engineers and Architects Emergency Response group (MEAER) took part in testimony before the Joint House and Senate Judiciary Committee back in October in support of Bill S.795 explaining the need for liability protection for design professionals in order for them to be able to apply their talents to this cause. Since October, little was forthcoming from the Judiciary Committee (JC), in part due to the change in the Committee’s chairs (both Sen. Katherine Clark and Rep. Eugene O’Flaherty left for new government positions).

However, before Memorial Day, it was learned that the JC had indeed acted on the bill by reporting it favorably to the House Steering Policy and Scheduling Committee for further action. Further, on June 10th the Steering committee recommended that the bill be considered by placing it in the Orders of the Day for the next full committee hearing. It is expected that it will be reviewed and sent to either the House Ways and Means Committee or the House Committee on Bills, which are the steps it needs to take before coming onto the floor of the House (and Senate later) for consideration as a new law.

While that may appear to be a long journey for this simple act, it has progressed much farther and faster than had been previously expected by those who have been shepherding it along, particularly in view of the leadership shake-up that occurred after the November elections. This is an encouraging development and we can help keep it moving along.

The actual bill and its background can be found [here](#) on the Massachusetts Legislative website:

How SEAMASS members can help:

Make your voice heard! Write or e-mail your State Representative today and urge them to bring Bill S.795 to the floor soon for consideration, so they can vote favorably for its passage. [Click here](#) to find your legislator’s contact information via the ‘Find a Legislator’ button.

It’s important to impress upon our legislators the fact that professionals like you cannot realistically volunteer your time and expertise when it is most needed during a large-scale emergency if the threat of unrestricted liability claims resulting from such service comes with it. Point out that **Massachusetts lags behind 28 other states in passing such a Good Samaritan law**, and is one of the states **most likely to experience a large-scale catastrophe** due to its geography and population density. We will be certainly be needed when the call for help goes out after the next big event but we can’t answer that call if doing so puts our livelihood at risk due to the lack of Good Samaritan protection.

Stay tuned to SEAMASS News and seamass.org for more updates on the progress of Bill S.795 (or track it yourself via the MA Legislative website). Our chances of passing such important legislation have never been better, so please join your fellow SEAMASS members in seeing it through.

UPDATE:

We have learned that the next immediate hurdle for Bill S.795 is to make it out of the House Committee on Bills in the Third Reading to the floor of the House where it must be recommended to the Senate for their consideration, a procedure known as “engrossment”. There is a time limit on this event – the end of July – due to the cessation of business for this session of the Legislature. After that, it runs the risk of starting over in the House along with all the other bills awaiting engrossment that were not considered in this go-around (there are literally hundreds of these).

SEAMASS members should e-mail the Chair of the House Committee on Bills in the Third Reading, Rep. Theodore Speliotis at <mailto:Theodore.Speliotis@mahouse.gov> and Cc the Speaker of the House Rep. Robert DeLeo at <mailto:Robert.DeLeo@mahouse.gov> as soon as possible to urge that this particular bill (SB.795) be recommended to the House membership for a vote on engrossment to the Senate as soon as possible. Once this hurdle is cleared, with the help of its Senate sponsor, Sen. Karen Spilka, it stands a good chance of making its way through the Senate this session and on to the Governor’s desk for signature into law. Timing is everything here so please e-mail Chairman Speliotis and Speaker DeLeo today!

