
A BILL FOR AN ACT

RELATING TO DESIGN PROFESSIONALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to provide a design
2 claims conciliation panel.

3 The design professional conciliation panel, established by
4 Act 228, Session Laws of Hawaii 1981, was repealed by the
5 legislature in 2004. The lack of a conciliation panel has left
6 the design professional community with no protection against
7 frivolous lawsuits.

8 This Act establishes a design claims conciliation panel
9 modeled after the existing medical claims conciliation panel
10 established by Act 219, Session Laws of Hawaii 1976. The
11 purpose of the design claims conciliation panel is to provide
12 the parties with advisory determinations of the relative merits
13 of any claim brought against a design professional licensed
14 under chapter 464, Hawaii Revised Statutes. The design claims
15 conciliation panel will assist the parties in evaluating whether
16 the claims should be pursued through the judicial system. The
17 design claims conciliation panel will also provide opportunities



1 for the parties to exchange information in a relatively
 2 expedited and inexpensive manner, which in turn provides for
 3 opportunities for the parties to explore the conciliation of
 4 meritorious claims prior to the claims being brought before the
 5 courts. Lastly, the requirements of exchanging information
 6 between the parties, and making conscientious and thorough
 7 presentations to the design claims conciliation panel,
 8 discourage the pursuit of frivolous or fraudulent claims, prior
 9 to further legal proceedings being taken by the parties.

10 SECTION 2. The Hawaii Revised Statutes is amended by
 11 adding a new chapter to be appropriately designated and to read
 12 as follows:

13 "CHAPTER

14 DESIGN CLAIMS CONCILIATION PANEL

15 § -1 Definitions. As used in this chapter:

16 "Department" means the department of commerce and consumer
 17 affairs.

18 "Design professional" means a professional engineer,
 19 architect, surveyor, or landscape architect licensed under
 20 chapter 464.

21 "Director" means the director of commerce and consumer
 22 affairs.



1 § -2 Administration of chapter. The director shall be
2 responsible for the implementation and administration of this
3 chapter and shall adopt rules, in conformity with chapter 91,
4 necessary for the purposes of this chapter.

5 § -3 Design claim conciliation panels; composition,
6 selection, compensation. (a) There are established design
7 claim conciliation panels that shall review and render findings
8 and advisory opinions on the issues of liability and damages in
9 tort claims against design professionals licensed to practice
10 under chapter 464.

11 (b) A design claim conciliation panel shall be formed for
12 each claim filed pursuant to section -5 and after each panel
13 renders its decision or the claim is otherwise disposed of, the
14 panel shall be disbanded. Each design claim conciliation panel
15 shall consist of one chairperson selected from among persons who
16 are familiar with and experienced in the claims settlement
17 process, one attorney licensed to practice in the courts of the
18 State and experienced in trial practice, and one design
19 professional licensed to practice under chapter 464. The
20 chairperson shall be appointed by the director from a list of
21 eligible persons approved by the chief justice of the supreme
22 court of Hawaii. The attorney shall be appointed by the



1 chairperson from a list of not less than thirty-five attorneys
2 experienced in trial practice submitted annually by the supreme
3 court. The design professional shall be appointed by the
4 chairperson and shall be currently licensed and in good standing
5 under chapter 464.

6 (c) The chairperson shall preside at the meetings of the
7 panel. The chairperson, all panel members, and any consultant
8 called by the panel to appear before the panel shall be
9 compensated at the rate of \$300 per claim, which will become
10 payable when the decision of the panel is submitted. At the
11 discretion of the director, the chairperson, panel members, and
12 any consultant called by the panel to appear before the panel,
13 may be compensated at one-half the amount of compensation
14 specified in this section, if the claim is disposed of by any
15 means prior to the hearing by the panel. The chairperson, all
16 panel members, and any consultant called by the panel to appear
17 before the panel also shall be paid allowances for travel and
18 living expenses that may be incurred as a result of the
19 performance of their duties on or for the panel. These costs
20 shall be paid by the department of commerce and consumer affairs
21 from the filing fees paid by the parties.



1 (d) The claimant shall pay a filing fee of \$450 to the
2 department upon the filing of the claim and the failure to do so
3 shall result in the claim being rejected for filing. Each party
4 to the claim shall pay a filing fee of \$450 to the department
5 within twenty days of being served with the claim. Each party
6 to a claim shall be assessed a non-refundable processing fee by
7 the department in the amount of \$50. The non-refundable
8 processing fee shall be retained from each party's filing fee,
9 and shall be used to defray the administrative costs of the
10 design claims conciliation panel program.

11 (e) After the panel has made a final decision on a claim,
12 or after a final disposition of the claim has been made without
13 a hearing before the panel, the department shall return any
14 moneys remaining after all panel costs have been paid, to the
15 respective parties on a pro rata basis.

16 (f) The office and meeting space, secretarial and clerical
17 assistance, office equipment, and office supplies for the panel
18 shall be furnished by the department. The chairperson may
19 designate any alternative meeting place or site for the hearing.

20 (g) The board of professional engineers, architects,
21 surveyors, and landscape architects shall each prepare a list of
22 design professionals along with their respective specialties.



1 These design professionals shall be eligible to serve as
2 consultants to the panel in their respective fields. Panel
3 members may consult with other legal, design, and insurance
4 specialists.

5 § -4 Waiver of filing fee. (a) If any party to a claim
6 cannot pay the required filing fee, the party may file with the
7 director a motion to waive the filing fee. The motion to waive
8 the filing fee shall be accompanied by an affidavit in a format
9 prescribed by the department, showing in detail:

- 10 (1) The party's inability to pay the filing fee;
11 (2) The party's belief that the party is entitled to
12 redress; and
13 (3) A statement of the issues that the party intends to
14 present at the hearing before a design claims
15 conciliation panel.

16 (b) The director shall decide on the motion to waive the
17 filing fee as expeditiously as possible, and no oral arguments
18 shall be permitted.

19 (c) If the director grants the motion to waive the filing
20 fee, the party may proceed without further application to the
21 director or panel, and without payment of the filing fee. If
22 the motion is denied, the director shall state the reasons for



1 the denial in writing. The director shall promptly provide the
2 party with a filed copy of the director's order granting or
3 denying the motion.

4 (d) If a motion to waive the filing fee is denied by the
5 director, the party may seek judicial review under section
6 91-14.

7 (e) If the director denies a party's motion to waive the
8 filing fee, the party shall pay the filing fee within thirty
9 days after the denial of the motion, unless the party has filed
10 an appeal under section 91-14. If the party has filed an appeal
11 under section 91-14, the party may proceed without payment of
12 the filing fee, until such time as a final judicial
13 determination is rendered.

14 (f) If the party files an appeal under section 91-14, and
15 the court upholds the director's denial of the aggrieved party's
16 motion to waive the filing fee, the party shall pay the filing
17 fee within thirty days after the court's affirmation of the
18 denial. If the court determines that the party's motion for
19 waiver of the filing fee was improperly denied, the party shall
20 be entitled to proceed without payment of the filing fee.

21 § -5 Review by panel required; notice; presentation of
22 claims; request for a more definite statement of the claim. (a)



1 Effective July 1, 2007, any person or the person's
2 representative claiming that a tort has been committed by a
3 design professional shall submit a statement of the claim to the
4 design claim conciliation panel before a suit based on the claim
5 may be commenced in any court of this State. Claims shall be
6 submitted to the design claim conciliation panel in writing.

7 The claimant shall set forth facts upon which the claim is based
8 and shall include the names of all parties against whom the
9 claim is or may be made who are then known to the claimant.

10 (b) Within five business days thereafter the panel shall
11 give notice of the claim and the statement of the claim, by
12 certified mail, to all design professionals and others who are
13 or may be parties to the claim and shall furnish copies of
14 written claims to these persons. The notice shall set forth a
15 date, not more than twenty days after mailing the notice, within
16 which any design professional against whom a claim is made shall
17 file a written response to the claim, and a date and time, not
18 less than five days following the last date for filing a
19 response, for a hearing of the panel. The notice shall describe
20 the nature and purpose of the panel's proceedings and shall
21 designate the place of the meeting. The times originally set



1 forth in the notice may be enlarged by the chairperson, on due
2 notice to all parties, for good cause.

3 (c) If the statement of the claim in the notice is so
4 vague or ambiguous that any party receiving notice of the claim
5 cannot reasonably be required to frame a written response, the
6 party may submit a written request to the director for a more
7 definite statement before filing the written response. Copies
8 of the request shall be provided to the panel, the claimant, and
9 other affected parties. The request, which shall be ex parte
10 and stay the proceedings of the panel until notice of the
11 director's decision is given to the panel and all parties, shall
12 specify the defects complained of and the details desired. The
13 director may deny, grant, or modify the request at the
14 director's own discretion, without the necessity of a hearing,
15 although the director may reach a decision after consulting with
16 the panel or the claimant. The director shall provide notice of
17 the decision to the panel, the claimant, and other affected
18 parties. If the request is granted and the claimant fails to
19 provide a more definite statement of the claim within five days
20 after notice of the decision, the panel may make an order as it
21 deems just. This subsection shall not be used as a tactic to
22 delay the proceedings.



1 § -6 Certificate of consultation. (a) Any claim filed
2 with the design claim conciliation panel under this chapter
3 shall be accompanied by a certificate that declares one of the
4 following:

5 (1) That the claimant or the claimant's attorney has
6 consulted with at least one design professional who is
7 licensed to practice in this State or any other state,
8 and who is knowledgeable or experienced in the same
9 specialty as the design professional against whom the
10 claim is made, and that the claimant or claimant's
11 attorney has concluded on the basis of the
12 consultation that there is a reasonable and
13 meritorious cause for filing the claim. If the
14 claimant or the claimant's attorney is not able to
15 consult with a design professional in the same
16 specialty as the design professional against whom the
17 claim is made, the claimant or claimant's attorney may
18 consult with a design professional who is licensed in
19 this State or in any other state who is knowledgeable
20 and experienced in a specialty that is as closely
21 related as practicable to the specialty of the design
22 professional against whom the claim is made. The



1 design professional consulted by the claimant or the
2 claimant's attorney may not be a party to the case,
3 nor be compelled to testify or otherwise participate
4 in the hearing before the design claim conciliation
5 panel;

6 (2) That the claimant or the claimant's attorney was
7 unable to obtain the consultation required by
8 paragraph (1) because a statute of limitations would
9 impair the action and that the certificate required by
10 paragraph (1) could not be obtained before the
11 impairment of the action. If a certificate is
12 executed pursuant to this paragraph, the certificate
13 required by paragraph (1) shall be filed by the
14 claimant or the claimant's attorney within ninety days
15 after filing the claim; or

16 (3) That the claimant or the claimant's attorney was
17 unable to obtain the consultation required by
18 paragraph (1) after the claimant or the claimant's
19 attorney had made a good faith attempt to obtain the
20 consultation and the design professional contacted
21 would not agree to such a consultation. For purposes
22 of this paragraph, "good faith attempt" refers to the



1 responsibility of a claimant or claimant's attorney to
2 make reasonable efforts to contact a design
3 professional for the purpose of reviewing the
4 circumstances upon which a claim is based. The
5 claimant or claimant's attorney may contact design
6 professionals by letter, telephone, facsimile, or
7 other electronic means of communication. If the
8 design professional does not respond within a
9 reasonable time, the claimant or claimant's attorney
10 may submit its claim to the design claim conciliation
11 panel along with a certificate declaring the
12 nonresponse to claimant's good faith attempt. A "good
13 faith attempt" shall ultimately be evaluated in light
14 of the goal of having a qualified design professional
15 assist the claimant or claimant's attorney in
16 understanding the basis of the claim, and the
17 determination shall depend upon the circumstances of
18 each individual case.

19 (b) For the purposes of this section, the claimant or the
20 claimant's attorney shall not be required to disclose the names
21 of any design professional consulted to fulfill the requirements
22 of subsection (a) to any of the other parties to the claim. The



1 design claims conciliation panel may require the claimant or the
2 claimant's attorney to disclose the name of any design
3 professional consulted to fulfill the requirements of subsection
4 (a). No disclosure of the name of any design professional
5 consulted to fulfill the requirements of subsection (a) shall be
6 made to any of the other parties to the claim; provided that the
7 design claim conciliation panel may contact the design
8 professional to determine if the requirements of subsection (a)
9 were met.

10 (c) Unless a certificate is filed pursuant to subsection
11 (a), the claim shall not be received for filing by the design
12 claim conciliation panel.

13 § -7 Design claim conciliation panel hearing; fact-
14 finding; evidence; voluntary settlement. (a) Every claim of a
15 tort against a design professional shall be heard by the design
16 claim conciliation panel within thirty days after the last date
17 for filing a response. No persons other than the panel,
18 witnesses, and consultants called by the panel, and the persons
19 listed in section -8 shall be present except with the
20 permission of the chairperson. The panel, in its discretion,
21 may conduct an inquiry of a party, witness, or consultant
22 without the presence of any or all parties.



1 (b) The hearing shall be informal. Chapters 91 and 92
2 shall not apply. The panel may require a stenographic record of
3 all or part of its proceedings for the use of the panel, but the
4 record shall not be made available to the parties. The panel
5 may receive any oral or documentary evidence. Questioning of
6 parties, witnesses, and consultants may be conducted by the
7 panel, and the panel, in its discretion, may permit any party,
8 or any counsel for a party to question other parties, witnesses,
9 or consultants. The panel may designate who, among the parties,
10 shall have the burden of going forward with the evidence with
11 respect to the issues as it may consider, and unless otherwise
12 designated by the panel, the burden shall initially rest with
13 the claimant at the commencement of the hearing.

14 (c) The panel may require by subpoena the appearance and
15 testimony of witnesses and the production of documentary
16 evidence. When subpoena power is utilized, notice shall be
17 given to all parties. The testimony of witnesses may be taken
18 either orally before the panel or by deposition. In cases of
19 refusal to obey a subpoena issued by the panel, the panel may
20 invoke the aid of any circuit court in the State, which may
21 issue an order requiring compliance with the subpoena. Failure
22 to obey the order may be punished by the court as a contempt



1 thereof. Any member of the panel, the director, or any person
2 designated by the director may sign subpoenas. Any member of
3 the panel may administer oaths and affirmations, examine
4 witnesses, and receive evidence. Notwithstanding these powers,
5 the panel shall attempt to secure the voluntary appearance,
6 testimony, and cooperation of parties, witnesses, and
7 consultants without coercion.

8 (d) At the hearing of the panel and in arriving at its
9 opinion the panel shall consider, but not be limited to,
10 statements or testimony of witnesses, project records, and other
11 records kept in the usual course of the practice of the design
12 professional without the necessity for other identification or
13 authentication, statement of fact, or opinion on a subject
14 contained in a published treatise, periodical, book, or
15 pamphlet, or statements of experts without the necessity of the
16 experts appearing at the hearing. The panel, upon the
17 application of any party or upon its own decision, may appoint
18 as a consultant, an impartial and qualified design professional,
19 or other professional person or expert to testify before the
20 panel or to conduct any necessary professional or expert
21 examination of the claimant or relevant evidentiary matter and
22 to report to or testify as a witness thereto. Such a consultant



1 shall not be compensated or reimbursed except for travel and
2 living expenses to be paid as provided in section -3. Except
3 for the production of records kept in the usual course of the
4 practice of the design professional, discovery by the parties
5 shall not be allowed.

6 During the hearing and at any time prior to the rendition
7 of an advisory decision pursuant to section -9, the panel may
8 encourage the parties to settle or otherwise dispose of the case
9 voluntarily.

10 § -8 Same; persons attending hearings of panel. Unless
11 excluded or excused by the panel, the following persons shall
12 attend hearings before the panel:

- 13 (1) The party or parties making the claim;
- 14 (2) The design professional against whom the claim is made
15 or representatives thereof; other than counsel,
16 authorized to act for the design professional; or
- 17 (3) Counsel for the parties, if any.

18 § -9 Same, decisions. (a) Within thirty days after the
19 completion of a hearing, the design claim conciliation panel
20 shall file a written advisory decision with the insurance
21 commissioner who shall thereupon mail copies to all parties
22 concerned, their counsel, and the representative of each design



1 professional's liability insurance carrier authorized to act for
2 the insurance carrier, and the board of professional engineers,
3 architects, surveyors, and landscape architects as appropriate.
4 The director also shall mail copies of the advisory decision to
5 the department. The panel shall decide the issue of liability
6 and shall state its conclusions in substantially the following
7 language: "We find the design professional was actionably
8 negligent in the performance of his or her professional duties
9 and we, therefore, find for the claimant"; or "We find the
10 design professional was not actionably negligent in the
11 performance of his or her professional duties and we, therefore,
12 find for the design professional".

13 (b) After a finding of liability, the design claim
14 conciliation panel shall decide the amount of damages, if any,
15 which should be awarded in the case. The decision as to damages
16 shall include in simple, concise terms a division as to which
17 portion of the damages recommended are attributable to economic
18 losses and which to noneconomic losses; provided the panel may
19 not recommend punitive damages.

20 (c) The decision shall be signed by all members of the
21 design claim conciliation panel; provided that any member of the
22 panel may file a written concurring or dissenting opinion.



1 (d) The advisory decision required by this section need
2 not be filed if the claim is settled or otherwise disposed of
3 before the decision is written or filed.

4 § -10 Expungement of records; liability insurance rates.

5 (a) Upon a decision by the design claim conciliation panel
6 finding for the design professional pursuant to section
7 -9(a), the design professional may apply to the panel for
8 expungement of all records of the related proceedings. The
9 panel shall expunge all records if a majority of the panel finds
10 that the complaint is fraudulent or frivolous.

11 (b) No insurer providing professional liability insurance
12 for a design professional shall increase any premium rate for
13 the design professional on the basis of the filing of a tort
14 claim against the design professional that is determined by the
15 design claims conciliation panel to be fraudulent or frivolous.

16 § -11 Subsequent litigation; excluded evidence. The
17 claimant may institute litigation based upon the claim in an
18 appropriate court only after a party to a design claim
19 conciliation panel hearing rejects the decision of the panel, or
20 after the twelve-month period under section -15 has expired.

21 No statement made in the course of the hearing of the
22 design claim conciliation panel shall be admissible in evidence



1 either as an admission, to impeach the credibility of a witness,
 2 or for any other purpose in any trial of the action; provided
 3 that the statements may be admissible for the purpose of section
 4 -16. No decision, conclusion, finding, or recommendation of
 5 the design claim conciliation panel on the issue of liability or
 6 on the issue of damages shall be admitted into evidence in any
 7 subsequent trial, nor shall any party to the design claim
 8 conciliation panel hearing, or the counsel or other
 9 representative of the party, refer or comment thereon in an
 10 opening statement, an argument, or at any other time, to the
 11 court or jury; provided that the decision, conclusion, finding,
 12 or recommendation may be admissible for the purpose of section
 13 -16.

14 § -12 Arbitration; subsequent litigation. Any person or
 15 the person's representative claiming that a tort has been
 16 committed by a design professional or any design professional
 17 against whom a claim has been made may elect to bypass the court
 18 annexed arbitration program under section 601-20 after the claim
 19 has been submitted to the design claim conciliation panel and
 20 the panel has rendered a decision or has not reached a decision
 21 within the tolling period of the statute of limitations under
 22 section -15.



1 § -13 Submission of claim to an alternative dispute
2 resolution provider. (a) Any claim initially filed with the
3 design claim conciliation panel may be subsequently submitted to
4 an alternative dispute resolution provider upon the written
5 agreement of all of the parties to the claim and with the
6 written approval of the director. The director shall approve
7 the alternative dispute resolution provider and the alternative
8 dispute resolution procedures.

9 (b) The parties shall comply with the procedures
10 established by the alternative dispute resolution provider and
11 approved by the director. If a party does not comply with those
12 procedures, any other party may file a motion with the director
13 to have the claim resubmitted to the design claim conciliation
14 panel.

15 (c) Within thirty days after the completion of the
16 alternative dispute resolution process, the alternative dispute
17 resolution provider shall notify all parties concerned, their
18 counsel, and the representative of each design professional's
19 liability insurance carrier authorized to act for the carrier,
20 as appropriate, that the alternative dispute resolution process
21 has been completed.



1 (d) The claimant may institute litigation based upon the
2 claim in an appropriate court only if:

3 (1) The parties were not able to resolve the entire claim
4 through the alternative dispute resolution process and
5 the matter has not been resubmitted to the design
6 claim conciliation panel pursuant to subsection (b);
7 or

8 (2) The claim has not been resolved through the
9 alternative dispute resolution process after twelve
10 months from the date the claim was filed with the
11 approved alternative dispute resolution provider.

12 (e) No statement made in the course of the approved
13 alternative dispute resolution process shall be admissible in
14 evidence as an admission, to impeach the credibility of a
15 witness, or for any other purpose in any trial of the action.
16 No decision, conclusion, finding, or recommendation of the
17 approved alternative dispute resolution provider on the issue of
18 liability or on the issue of damages shall be admitted into
19 evidence in any subsequent trial, nor shall any party to the
20 approved alternative dispute resolution hearing, their counsel,
21 or other representative of the party, refer or comment thereon



1 in an opening statement, in an argument, or at any time, to the
2 court or jury.

3 § -14 Immunity of panel members from liability. No
4 member of a design claim conciliation panel shall be liable in
5 damages for libel, slander, or other defamation of character of
6 any party to a design claim conciliation panel proceeding for
7 any action taken or any decision, conclusion, finding, or
8 recommendation made by the member while acting within the
9 member's capacity as a member of a design claim conciliation
10 panel under this chapter.

11 § -15 Statute of limitations tolled. The filing of the
12 claim with the design claim conciliation panel or with an
13 approved alternative dispute resolution provider shall toll any
14 applicable statute of limitations, and any such statute of
15 limitations shall remain tolled until sixty days after the date
16 of the decision of the panel or the notification of completion
17 from the approved alternative dispute resolution provider is
18 mailed or delivered to the parties. If a decision by the design
19 claim conciliation panel is not reached within twelve months, or
20 the alternative dispute resolution process is not completed
21 within twelve months, the statute of limitations shall resume
22 running and the party filing the claim may commence a suit based



1 on the claim in any appropriate court of this State. The panel
2 or the approved alternative dispute resolution provider shall
3 notify all parties in writing of this provision.

4 § -16 Duty to cooperate; assessment of costs and fees.

5 It shall be the duty of every person who files a claim with the
6 design claim conciliation panel, every design professional
7 against whom the claim is made, and every insurance carrier or
8 other person providing professional tort liability insurance for
9 the design professional, to cooperate with the design claim
10 conciliation panel for the purpose of achieving a prompt, fair,
11 and just disposition or settlement of the claim; provided that
12 cooperation shall not prejudice the substantive rights of those
13 persons.

14 Any party may apply to the panel to have the costs of the
15 action assessed against any party for failure to cooperate with
16 the panel. The panel may award costs, or a portion thereof,
17 including attorney's fees, witness fees, including those of
18 expert witnesses, filing fees, and costs of the design claim
19 conciliation panel hearing to the party applying therefor.

20 In determining whether any person has failed to cooperate
21 in good faith, the panel shall consider, but is not limited to,
22 the following:



- 1 (1) The attendance of the persons at the hearing of the
- 2 design claim conciliation panel;
- 3 (2) The extent to which representatives of parties and
- 4 counsel representing parties came to panel hearings
- 5 with knowledge of the claims and defenses and
- 6 authority to negotiate a settlement or other
- 7 disposition of the claim;
- 8 (3) The testimony of members of the panel as to the facts
- 9 of the person's participation in the panel hearing;
- 10 (4) The extent of the person's cooperation in providing
- 11 the panel with documents and testimony called for by
- 12 the panel;
- 13 (5) The reasons advanced by the person so charged for not
- 14 fully cooperating or negotiating; and
- 15 (6) The failure of the person to submit any required fees
- 16 to the department, as required by this chapter.

17 The party against whom costs are awarded may appeal the
18 award to the circuit court. The court may affirm or remand the
19 case with instructions for further proceedings, or it may
20 reverse or modify the award if the substantial rights of the
21 petitioners may have been prejudiced because the award is
22 characterized as an abuse of discretion.



1 § -17 Annual report. The director shall prepare and
2 submit to the legislature annually, no later than twenty days
3 prior to the convening of each regular session, a report
4 containing the director's evaluation of the operation and
5 effects of this chapter. The report shall include a summary of
6 the claims brought before the design claim conciliation panel
7 and the disposition of the claims, a description and summary of
8 the work of the panel under this chapter, an appraisal of the
9 effectiveness of this chapter in securing prompt and fair
10 disposition of design tort claims, a review of the number and
11 outcomes of claims brought under section -5 and
12 recommendations for changes, modifications or repeal of this
13 chapter or parts thereof with accompanying reasons and data."

14 SECTION 3. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun, before its effective date.

17 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Design Professionals; Design Claims Conciliation Panel

Description:

Provides for a design claims conciliation panel, which would render an advisory determination on any claim against a design professional for failure to meet the standard of care. (SD1)

