

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
107TH LEGISLATURE

COMMITTEE AMENDMENT "A" to H.P. 889, L.D. 1064, Bill,  
"AN ACT to Establish a Statute of Limitations with Regard to  
the Negligence of Design Professionals."

Amend said Bill by striking out everything after the  
enacting clause and inserting in place thereof the following:

'14 MRSA §752-A is enacted to read:

§752-A. Design Professionals

All civil actions for malpractice or professional negligence  
against architects or engineers duly licensed or registered  
under Title 32 shall be commenced within 4 years after such  
malpractice or negligence is discovered, but in no event shall  
any such action be commenced more than 10 years after the  
substantial completion of the construction contract or the  
substantial completion of the services provided, if a  
construction contract is not involved. The limitation periods  
provided by this section shall not apply if the parties have entered  
into a valid contract which by its terms provides for limitation  
periods other than those set forth in this section.'

Statement of Fact

The purpose of this amendment is to require that all  
civil actions for malpractice or professional negligence  
against architects and engineers be commenced within 4 years  
after such malpractice or negligence is discovered and that in  
no event shall such an action be commenced more than 10 years  
after the substantial completion of the contract or services in  
question. This amendment also states that the limitation periods

provided in the bill being amended shall not apply if contrary periods are included in a valid contract between the parties.

Reported by the Committee on Judiciary.

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(Filing No. H-526)