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ENGROSSED HOUSE BILL 2015

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Radcliff, Wolfe, Lambert, Romero, DeBolt, Morris, Constantine, Ruderman, D. Schmidt, Crouse, Carrell, Poulsen, Miloscia and Rockefeller; by request of Department of General Administration and Department of Information Services

Read first time 02/12/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to restricting liability for harm caused by  
2 incorrectly calculated or interpreted dates associated with year 2000  
3 date-changes processed by electronic computing devices; adding a new  
4 section to chapter 4.22 RCW; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.22 RCW  
7 to read as follows:

8 (1) As used in this section:

9 (a) "Agency" means any state or local government board, commission,  
10 bureau, committee, department, institution, division, or tribunal in  
11 the legislative, executive, or judicial branch, including elective and  
12 legislative offices, institutions of higher education created and  
13 supported by state government, counties, cities, towns, special purpose  
14 districts, local service districts, municipal corporations, quasi-  
15 municipal corporations, including electric cooperatives and mutual  
16 utilities, and political subdivisions of such agencies and  
17 corporations, and any officer, employee, or agent of these entities  
18 acting within the scope of the officer, employee, or agent's employment  
19 or duties.

1 (b) "Electronic computing device" means any computer hardware or  
2 software, computer chip, embedded chip, process control equipment, or  
3 other information system used to capture, store, manipulate, or process  
4 data, or that controls, monitors, or assists in the operation of  
5 physical apparatus that is not primarily used as a computer, but that  
6 relies on automation or digital technology to function, including but  
7 not limited to vehicles, vessels, buildings, structures, facilities,  
8 elevators, medical equipment, traffic signals, factory machinery, and  
9 the like.

10 (2) In any action against an agency, whether based in tort,  
11 contract, or otherwise, for damages caused in whole or in part by  
12 computational or interpretive errors generated by an electronic  
13 computing device in connection with the year 2000 date-change:

14 (a) Any liability of the agency shall be several, not joint, and  
15 the liability of the agency shall be determined as a percentage of  
16 fault in a manner consistent with RCW 4.22.070; and

17 (b) The agency shall have no liability for the first one hundred  
18 dollars of damages per claimant that would otherwise be owed by the  
19 agency.

20 (3) This section shall not apply to any action for damages arising  
21 from bodily personal injury, or to wrongful death and survival actions  
22 under chapter 4.20 RCW or RCW 4.24.010.

23 (4) This section does not apply to any act or omission occurring  
24 after December 31, 2003.

25 (5) This section expires December 31, 2009.

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