

6035-S

Sponsor(s): Senate Committee on Judiciary (originally sponsored by Senator Swecker)

Brief Title: Creating the year 2000 citizens' protection act.

SB 6035-S.E - DIGEST

(AS OF SENATE 2ND READING 3/12/99)

Declares that a person has an affirmative defense to any claim or action brought against the person if he or she establishes that:
(1) The default, failure to pay, breach, omission, or other violation that is the basis of the claim against him or her was caused, in whole or in part, by a year 2000 failure associated with an electronic computing device;

(2) the year 2000 failure being asserted was not proximately caused by a failure of the person to update an electronic computing device, that is under his or her dominion or control, to be year 2000 compliant; and

(3) if it were not for the year 2000 failure, the person would have been able to satisfy the contractual obligation that was the basis of the claim.