Z-0577.7 _____

SENATE BILL 5889

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State of Washington   56th Legislature   1999 Regular Session

By Senators Kline, Finkbeiner, Costa and Oke; by request of Department of General Administration and Department of Information Services

Read first time 02/15/1999. 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, and political subdivisions of such agencies and
16 corporations, and any officer, employee, or agent of these entities
17 acting within the scope of the officer, employee, or agent's employment
18 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.

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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