

ENROLLMENT(S)

kwiktag *

062 323 847



(5)

AN ACT

D.C. ACT 12-581

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 24, 1998

*Codification
District of
Columbia
Code
1999 Supp.*

To protect the District government and its employees from liability arising from a Year 2000 system failure, to protect District government vendors from liability arising from a Year 2000 system failure if the failure is due to the vendor's use of systems or equipment owned or provided by the District government, and to require District government contracts to include a warranty for Year 2000 compliance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Year 2000 Government Computer Immunity Act of 1998".

*New
Subchapter
VIII-A,
Chapter 11A,
Title 1*

Sec. 2. (a) Notwithstanding section 801 of the Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code § 1-1188.1), no cause of action at law or in equity, nor any administrative action shall be maintained against the District government or its officers or employees, arising from a Year 2000 system failure.

*New Section
1-1188.51*

(b) No cause of action at law or in equity, nor any administrative action shall be maintained against a District government vendor, arising from a Year 2000 system failure caused primarily by the vendor's use of computer hardware, software, or equipment that is not Year 2000 compliant and which is owned or provided by the District government, unless the action is maintained by the District government.

(c) All District government contracts executed after the effective date of this act shall include a warranty of Year 2000 compliance for any goods or services provided pursuant to the contract, and shall state that the vendor is liable for any damages if the goods and services are not Year 2000 compliant.

(d) For the purposes of this act:

(1) The term "Year 2000 compliance or compliant" means the capability of a computer software program, database, network, information system, computer device, or any equipment using microchips, to interpret, produce, generate, calculate, or to correctly account for a date in the Year 2000 or in subsequent years.

(2) The term "Year 2000 system failure" means the failure of a computer software program, database, network, information system, computer device, or any equipment

using microchips, to interpret, produce, generate, calculate, or to correctly account for a date in the year 2000 or in subsequent years.

Sec. 3. Applicability.

This act shall apply to claims arising between the effective date of this act and December 31, 2005, and to contracts executed and in effect between the effective date of this act and December 31, 2005.

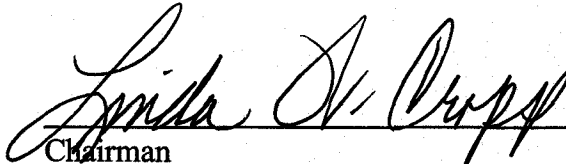
New Section
1-1188.52

Sec. 4. Fiscal impact statement.

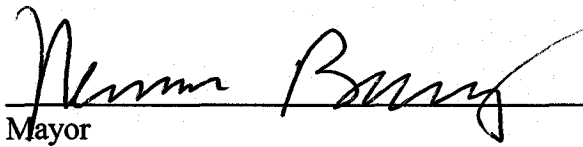
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233 (c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233 (c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

Approved: December 24, 1998



COUNCIL OF THE DISTRICT OF COLUMBIA
 COUNCIL PERIOD TWELVE
 RECORD OF OFFICIAL COUNCIL VOTE

B12-732

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE _____

ADOPTED FIRST READING, 12-01-98

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

ALL PRESENT

|| ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

[Signature] December 17, 1998
 Date

|| ITEM ON CONSENT CALENDAR

ACTION & DATE _____

ADOPTED FINAL READING, 12-15-98

VOICE VOTE
 RECORDED VOTE ON REQUEST

APPROVED

ABSENT _____

THOMAS

|| ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

[Signature] December 17, 1998
 Date

|| ITEM ON CONSENT CALENDAR

|| ACTION & DATE _____

|| VOICE VOTE
 RECORDED VOTE ON REQUEST

ABSENT _____

|| ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp					Chavous					Schwartz				
Allen					Evans					Smith, Jr.				
Ambrose					Jarvis					Thomas, Sr.				
Brazil					Mason									
Catania					Patterson									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date