

VIRGINIA ACTS OF ASSEMBLY -- 1999 RECONVENED SESSION

CHAPTER 1002

An Act to amend the Code of Virginia by adding in Article 21 of Chapter 3 of Title 8.01 a section numbered 8.01-226.5, relating to "Year 2000" immunity for certain governmental officers and employees.

[H 2158]

Approved April 7, 1999

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 21 of Chapter 3 of Title 8.01 a section numbered 8.01-226.5 as follows:

§ 8.01-226.5. "Year 2000" civil immunity for certain governmental officers and employees.

No officer or employee of the Commonwealth or any of its political subdivisions, agencies and instrumentalities, including without limitation any officer described in Article VII, Section 4 of the Constitution of Virginia, any director of finance described in §§ 15.2-519, 15.2-617 or § 15.2-826, or any regional jail superintendent described in § 53.1-109, shall be held liable for any claim arising from, or in any way relating to, the failure of a computer, software program, database, network information system, firmware or any other device to interpret, produce, calculate, generate or account for a date which is compatible with the "Year 2000" data change. The immunity conferred by this section shall not apply if the act or omission at issue was the result of the officer's or employee's gross negligence or willful misconduct.