

1999 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 2158

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 7, 1999)

(Patron Prior to Substitute—Delegate Almand)

A BILL 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.

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, § 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 the failure of a computer, software program, database, network information system, firmware or any other device, operated by or on behalf of such officer or employee in the discharge of his official responsibilities, 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.

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