

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

770C0787

SENATE BILL NO. 186

Introduced by: Senators Everist and Halverson and Representatives Peterson, Brooks, Brown
(Richard), Chicoine, Fiegen, and Solum

1 FOR AN ACT ENTITLED, An Act to limit the liability of certain persons for year 2000
2 litigation.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No person is liable for losses from any failure or malfunction occurring on or
5 before December 31, 2002, which is caused directly or indirectly by the failure of computer
6 software or any device containing a computer processor to accurately or properly recognize,
7 calculate, display, sort, or otherwise process dates or times, if the failure or malfunction causing
8 the loss was unforeseeable; or, if foreseeable, the plan, design, or both, for identifying and
9 preventing the failure or malfunction was prepared in substantial compliance with generally
10 accepted computer and information system design standards in effect at the time of the
11 preparation of the plan or design.