

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

400C0403

## SENATE BILL NO. 62

Introduced by: The Committee on Judiciary at the request of the Bureau of Information and Telecommunications

1 FOR AN ACT ENTITLED, An Act to limit the liability of state and local government agencies  
2 and their employees for year 2000 litigation.

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

4 Section 1. That chapter 3-21 be amended by adding thereto a NEW SECTION to read as  
5 follows:

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