

~~(B) ANY ACTION AGAINST A GOVERNMENTAL ENTITY REMAINS SUBJECT TO ALL PROCEDURES AND LIMITATIONS ON DAMAGES OTHERWISE SPECIFIED BY LAW.~~  
~~21-103.~~

~~(A) AN ACTION AGAINST A GOVERNMENTAL ENTITY OR PERSON WHOSE PRODUCT OR SERVICE IS NOT YEAR 2000-READY ARISES ON THE DATE ON WHICH THE PRODUCT OR SERVICE THAT RELIES ON AN INFORMATION TECHNOLOGY SYSTEM OR PRODUCT:~~

~~(1) FAILS TO OPERATE IN A MANNER CONSISTENT WITH THE DESIGN REQUIREMENTS OR OTHER SPECIFICATION FOR THE PRODUCT OR SERVICE; AND~~

~~(2) CAUSES DAMAGE OR LOSS.~~

~~(B) A GOVERNMENTAL ENTITY OR PERSON WHOSE PRODUCT OR SERVICE IS NOT YEAR 2000-READY SHALL BE LIABLE UNDER THIS TITLE ONLY WHERE THE FAILURE OF THE PRODUCT OR SERVICE TO BE YEAR 2000-READY IS THE PROXIMATE CAUSE OF THE DAMAGES.~~

~~(C) THIS TITLE DOES NOT APPLY TO:~~

~~(1) A PRODUCTS LIABILITY ACTION AGAINST A MANUFACTURER FOR WRONGFUL DEATH OR PERSONAL INJURY; OR~~

~~(2) A CLAIM FOR WORKER'S WORKERS' COMPENSATION BENEFITS.~~

~~21-104. 21-103.~~

~~(A) IT SHALL BE AN AFFIRMATIVE DEFENSE TO ANY ACTION BROUGHT BY A PLAINTIFF AGAINST ANY GOVERNMENTAL ENTITY OR PERSON WHOSE PRODUCT OR SERVICE IS NOT YEAR 2000-READY THAT:~~

~~(1) IN THE CASE OF A GOVERNMENTAL ENTITY, THE ENTITY EXERCISED DUE DILIGENCE TO ENSURE THAT IT WAS YEAR 2000-READY IN A MANNER THAT WOULD BE EXERCISED BY A REASONABLY PRUDENT PERSON IN ACCORDANCE WITH THE STANDARDS APPLICABLE TO THE SAME TYPE AND SIZE OF GOVERNMENTAL ENTITY; OR~~

~~(2) IN THE CASE OF ANY OTHER PERSON, THE PERSON DETERMINED AND IMPLEMENTED IN GOOD FAITH ACTIONS NECESSARY FOR THE PERSON TO BECOME YEAR 2000-READY IN ACCORDANCE WITH THE REQUIREMENTS AND STANDARDS SET FORTH IN § 2-405.1 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE A MANNER THAT WOULD BE EXERCISED BY A REASONABLY PRUDENT PERSON UNDER THE SAME OR SIMILAR CIRCUMSTANCES.~~

~~(B) IN DETERMINING WHETHER A GOVERNMENTAL ENTITY OR PERSON HAS MET THE STANDARD SET OUT IN SUBSECTION (A) OF THIS SECTION, THE COURT SHALL CONSIDER WHETHER THE GOVERNMENTAL ENTITY OR PERSON:~~

~~(1) HAS INVENTORIED ITS PRODUCTS AND SERVICES TO DETERMINE WHETHER THEY ARE YEAR 2000-READY;~~