

~~21-107.~~

~~THIS TITLE SHALL BE KNOWN AND MAY BE CITED AS THE MARYLAND YEAR 2000 COMMERCE PROTECTION ACT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively to apply to causes of action arising out of a Y2K date data problem, as defined in § 21-101(g) § 21-101(h) of the Commercial Law Article as enacted by this Act, occurring on or before January 2, 2001 and may not be applied or interpreted to have any effect on or application to any case filed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to:

- (1) Recognize, endorse, or suggest the existence or validity of any purported cause of action;
- (2) Create a cause of action where none otherwise existed;
- (3) Limit the ability of contracting parties to enter into agreements as they deem appropriate on the issue of liability and damages;
- (4) Affect the validity of existing contracts created on or before the effective date of this Act regarding issues of liability and damages; or
- (5) Be indicative of any type of industry standard relating to year 2000 readiness of information technology products or goods and services that rely on information technology products.

~~SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the Maryland General Assembly that parties contemplating any litigation regarding year 2000 readiness should engage in alternative dispute resolution prior to entering into any litigation and that the courts actively encourage parties to seek to address legal issues through an alternative dispute resolution mechanism before allowing any trial on year 2000 issues to go forward.~~

SECTION 5. ~~4.~~ AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to preclude or limit the effect of any legislation enacted by the United States relating to year 2000 readiness.

SECTION 6. ~~5.~~ AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1999. It shall remain effective until January 2, 2004, and at the end of January 2, 2004, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

May 27, 1999

The Honorable Casper R. Taylor, Jr.
Speaker of the House
State House
Annapolis MD 21401