

April 15, 1999

S 1005. YEAR 2000 LIABILITY LIMITATIONS. TO ESTABLISH CERTAIN LIMITATIONS REGARDING POTENTIAL LIABILITY OF NORTH CAROLINA'S BUSINESSES ARISING FROM YEAR 2000 PROBLEMS. Adds new Art. 18 to GS Ch. 55 as title indicates. Provides following rules for any civil action against a "person" ("person" under this law includes individual, corporation, partnership, association, company, business trust, joint venture, or other legal entity) who has performed with due diligence (made a good faith effort in its operations to prevent the occurrence of a Year 2000 problem), in which the claim for damages is based on a Year 2000 problem.

Establishes rules for determining liability.

Applies to actions with claims for damages commenced on or after date of enactment.

Intro. by Hoyle.

Ref. to Judiciary I

GS 55

April 28, 1999

S 1005. YEAR 2000 LIABILITY LIMITATIONS. Intro. 4/15/99. Senate committee substitute makes the following changes to 1st edition. Codifies act as new Art. 35, GS Ch. 66, rather than as Art. 18, GS Ch. 55.

June 16, 1999

S 1005. YEAR 2000 LIABILITY LIMITATIONS. Intro. 4/14/99. House committee substitute makes the following changes to 2nd edition. Provides that section limiting liability and damages does not apply to an express warranty against damages. Adds new GS 66-283 requiring prelitigation mediation of civil action for damages resulting from Year 2000 problem. Party must file a request for mediation with clerk of court who provides the parties with list of certified mediators. Allows Supreme Court to adopt mediation rules but provides that until adoption of such rules, prelitigation of farm nuisance disputes rules apply. Allows parties to waive mediation. Tolls statute of limitations for bringing civil action upon the filing of a request for mediation until 30 days after the date on which the mediation is concluded or until 30 days after the filing of the certification of the mediation. Provides that act expires Dec. 31, 2004.

June 24, 1999

S 1005. YEAR 2000 LIABILITY LIMITATIONS. Intro. 4/15/99. House amendment makes the following changes to 3rd edition. Adds provision that mediation shall be conducted in accordance with provisions for mediated settlement of civil cases in GS 7A-38.1 and GS 7A-38.2, and rules and standards adopted pursuant to those sections. Specifies that Supreme Court may adopt additional rules and standards, including an exemption from the provisions of GS 7A-38.1.

June 30, 1999

S 1005. YEAR 2000 LIABILITY LIMITATIONS. Intro. 6/24/99. House amendment makes the following changes to 4th edition. Authorizes a party with an affirmative defense to refuse to participate in mediation. Provides that the provisions on prelitigation mediation will become effective only if the Year 2000 Consumer Protection Act (S 1074) is enacted into law. Makes other technical changes.