

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B 1036**  
**May 3, 2016**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH30454-LRz-148A\* (03/21)

Short Title: State IT Contracts/Contractor Liability. (Public)

Sponsors: Representative Saine.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT SETTING THE LIMITS OF CONTRACTOR LIABILITY UNDER STATE  
3 INFORMATION TECHNOLOGY PROCUREMENT CONTRACTS.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.** G.S. 143B-1350 is amended by adding a new subsection to read:  
6 "(h1) All contracts subject to the provisions of this Part shall include a limitation on the  
7 contractor's liability for damages arising from any cause whatsoever, regardless of the form of  
8 action, of no more than two times the value of the contract. The limitation shall specifically  
9 include, but not be limited to, the contractor's liability for damages and any other losses relating to  
10 the loss of, unauthorized access to, or unauthorized disclosure of data. The limitation of liability  
11 required by this subsection shall not be required to apply to liability of the contractor for  
12 intentional or willful misconduct, damage to tangible personal property, or physical injuries to  
13 persons."  
14 **SECTION 2.** This act is effective when it becomes law and applies to contracts  
15 entered into on or after that date.



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