

EFFECTIVE DATE

For effective date of section, see section 1308 of Pub. L. 105-277, set out as a note under section 6501 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6502 of this title.

§ 6506. Review

Not later than 5 years after the effective date of the regulations initially issued under section 6502 of this title, the Commission shall—

- (1) review the implementation of this chapter, including the effect of the implementation of this chapter on practices relating to the collection and disclosure of information relating to children, children's ability to obtain access to information of their choice online, and on the availability of websites directed to children; and
- (2) prepare and submit to Congress a report on the results of the review under paragraph (1).

(Pub. L. 105-277, div. C, title XIII, §1307, Oct. 21, 1998, 112 Stat. 2681-735.)

**CHAPTER 92—YEAR 2000 COMPUTER DATE CHANGE**

- |       |  |
|-------|--|
| Sec.  |  |
| 6601. | Findings and purposes. <ol style="list-style-type: none"> <li>(a) Findings.</li> <li>(b) Purposes.</li> </ol>  |
| 6602. | Definitions.   |
| 6603. | Application of chapter. <ol style="list-style-type: none"> <li>(a) General rule.</li> <li>(b) No new cause of action created.</li> <li>(c) Claims for personal injury or wrongful death excluded.</li> <li>(d) Warranty and contract preservation.</li> <li>(e) Preemption of State law.</li> <li>(f) Application with Year 2000 Information and Readiness Disclosure Act.</li> <li>(g) Application to actions brought by a government entity.</li> <li>(h) Consumer protection from Y2K failures.                 <ol style="list-style-type: none"> <li>(i) Applicability to securities litigation.</li> </ol> </li> </ol> |
| 6604. | Punitive damages limitations. <ol style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Caps on punitive damages.</li> <li>(c) Government entities.</li> <li>(d) Institutions of higher education.</li> </ol>  |
| 6605. | Proportionate liability. <ol style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Proportionate liability.</li> <li>(c) Joint liability for specific intent or fraud.</li> <li>(d) Special rules.</li> <li>(e) Settlement discharge.</li> <li>(f) General right of contribution.</li> <li>(g) More protective State law not preempted.</li> </ol>   |
| 6606. | Prelitigation notice. <ol style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Person to whom notice to be sent.</li> <li>(c) Response to notice.</li> <li>(d) Failure to respond.</li> <li>(e) Remediation period.</li> <li>(f) Failure to provide notice.</li> <li>(g) Effect of contractual or statutory waiting periods.</li> <li>(h) State law controls alternative methods.                 <ol style="list-style-type: none"> <li>(i) Provisional remedies unaffected.</li> <li>(j) Special rule for class actions.</li> </ol> </li> </ol>   |

- |       |   |
|-------|---|
| Sec.  |   |
| 6607. | Pleading requirements. <ol style="list-style-type: none"> <li>(a) Application with rules of civil procedure.</li> <li>(b) Nature and amount of damages.</li> <li>(c) Material defects.</li> <li>(d) Required state of mind.</li> </ol>  |
| 6608. | Duty to mitigate. <ol style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Preservation of existing law.</li> <li>(c) Exception for intentional fraud.</li> </ol>  |
| 6609. | Application of existing impossibility or commercial impracticability doctrines.   |
| 6610. | Damages limitation by contract.   |
| 6611. | Damages in tort claims. <ol style="list-style-type: none"> <li>(a) In general.</li> <li>(b) Economic loss.</li> <li>(c) Certain other actions.</li> </ol>   |
| 6612. | State of mind; bystander liability; control. <ol style="list-style-type: none"> <li>(a) Defendant's state of mind.</li> <li>(b) Limitation on bystander liability for Y2K failures.</li> <li>(c) Control not determinative of liability.</li> <li>(d) Protections of the Year 2000 Information and Readiness Disclosure Act apply.</li> </ol> |
| 6613. | Appointment of special masters or magistrate judges for Y2K actions.  |
| 6614. | Y2K actions as class actions. <ol style="list-style-type: none"> <li>(a) Material defect requirement.</li> <li>(b) Notification.</li> <li>(c) Forum for Y2K class actions.</li> <li>(d) Effect on rules of civil procedure.</li> </ol>  |
| 6615. | Applicability of State law.   |
| 6616. | Admissible evidence ultimate issue in State courts.   |
| 6617. | Suspension of penalties for certain year 2000 failures by small business concerns. <ol style="list-style-type: none"> <li>(a) Definitions.</li> <li>(b) Establishment of liaisons.</li> <li>(c) General rule.</li> <li>(d) Standards for waiver.</li> <li>(e) Exceptions.</li> <li>(f) Expiration.</li> </ol>                                 |

§ 6601. Findings and purposes

(a) Findings

The Congress finds the following:

(1)(A) Many information technology systems, devices, and programs are not capable of recognizing certain dates in 1999 and after December 31, 1999, and will read dates in the year 2000 and thereafter as if those dates represent the year 1900 or thereafter or will fail to process dates after December 31, 1999.

(B) If not corrected, the problem described in subparagraph (A) and resulting failures could incapacitate systems that are essential to the functioning of markets, commerce, consumer products, utilities, Government, and safety and defense systems, in the United States and throughout the world.

(2) It is in the national interest that producers and users of technology products concentrate their attention and resources in the time remaining before January 1, 2000, on assessing, fixing, testing, and developing contingency plans to address any and all outstanding year 2000 computer date-change problems, so as to minimize possible disruptions associated with computer failures.

(3)(A) Because year 2000 computer date-change problems may affect virtually all businesses and other users of technology products