

Tex. Civ. Prac. & Rem. Code § 147.001

This document is current through the 2023 Regular Session; the 1st C.S.; the 2nd C.S.; the 3rd C.S. and the 4th C.S. of the 88th Legislature; and the November 7, 2023 general election results.

*Texas Statutes & Codes Annotated by LexisNexis® > Civil Practice and Remedies Code > Title 6
Miscellaneous Provisions (Chs. 121 — 150E) > Chapter 147 Year 2000 Computer Date Failure (Subchs. A — D) > Subchapter A General Provisions (§§ 147.001 — 147.009)*

Sec. 147.001. Definitions.

In this chapter:

- (1) “Action” means a cause of action to which this chapter applies.
- (2) “Claimant” means a party seeking recovery of damages or other relief, including a plaintiff, counterclaimant, cross-claimant, or third-party plaintiff.
- (3) “Computer product” means a computer, computer network, computer program, computer software, computer system, microprocessor, embedded computer chip, semiconductor device, any component of any of those items, or a product that includes any of those items as a component of the product.
- (4) “Computer service product” means the product of the use of a computer, including uses related to data processing and storage. The term includes information stored in the computer by personnel supporting the computer.
- (5) “Defendant” means a party from whom a claimant seeks recovery of damages or other relief, including a counterdefendant, cross-defendant, or third-party defendant.
- (6) “Good faith” means honesty in fact in the conduct or transaction concerned.
- (7) “Recent consumer product” means a mass-marketed computer product, intended by the seller to be used for personal, family, or household purposes or by small businesses, that will manifest a computer date failure during its normal use and was last offered for sale by the manufacturer after January 1, 1997, and in the case of software, was offered for a retail price of \$300 or less. The term does not include customized products.
- (8) “Small business” means a legal entity, including a sole proprietorship, that:
 - (A) is formed for the purpose of making a profit;
 - (B) is independently owned and operated; and
 - (C) has fewer than 100 employees or less than \$1 million in annual gross receipts.

(9) “Year 2000 Project Office website” means the Texas Year 2000 Project Office website administered by the Department of Information Resources. The Internet address of the website is www.dir.state.tx.us/y2k.

History

Enacted by Acts 1999, 76th Leg., ch. 128 (S.B. 598), § 2, effective May 19, 1999.

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