# **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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