HOUSE BILL No. 4977

October 12, 1999, Introduced by Reps. Thomas, Wojno, Hale, Woodward, Basham, Jacobs, Neumann, Brater, DeHart, Bovin, Schermesser, Rivet, Reeves, Bogardus and Lemmons and referred to the Committee on Energy and Technology.

A bill to amend 1976 PA 390, entitled

"Emergency management act,"

(MCL 30.401 to 30.420) by adding section 8a; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 8A. (1) NO LATER THAN OCTOBER 31, 1999, EACH STATE

2 AGENCY SHALL PREPARE AND SUBMIT TO THE EMERGENCY MANAGEMENT DIVI-

3 SION OF THE DEPARTMENT A YEAR 2000 EMERGENCY ACTION/CONTINGENCY

4 PLAN. THE EMERGENCY ACTION/CONTINGENCY PLAN SHALL INCLUDE PLANS

5 FOR BEST CASE, MIDDLE CASE, AND WORST CASE COMPUTER DATE FAILURE

6 IMPACT SCENARIOS.

7 (2) A YEAR 2000 EMERGENCY ACTION/CONTINGENCY PLAN OF A STATE

8 AGENCY IN THE POSSESSION OF THE EMERGENCY MANAGEMENT DIVISION OF

9 THE DEPARTMENT IS SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976

10 PA 442, MCL 15.231 TO 15.246.

1   (3) AS USED IN THIS SECTION:

2   (A) "COMPUTER" MEANS A HIGH-SPEED DATA PROCESSING DEVICE

3 THAT PERFORMS LOGICAL, ARITHMETIC, OR MEMORY FUNCTIONS BY THE

4 MANIPULATIONS OF ELECTRONIC OR MAGNETIC IMPULSES AND INCLUDES ALL

5 INPUT, OUTPUT, PROCESSING, STORAGE, OR COMMUNICATION FACILITIES

6 THAT ARE CONNECTED OR RELATED TO THE DEVICE.

7   (B) "COMPUTER DATE FAILURE" MEANS A MALFUNCTION, INCLUDING,

8 BUT NOT LIMITED TO, THE MALFUNCTION OF AN ELECTRONIC OR MECHANI-

9 CAL DEVICE OR THE INABILITY OF A COMPUTER, A COMPUTER NETWORK, A

10 COMPUTER PROGRAM, COMPUTER SOFTWARE, AN EMBEDDED CHIP, OR A COM-

11 PUTER SYSTEM TO ACCURATELY STORE, PROCESS, RECEIVE, OR TRANSMIT

12 DATA, THAT IS CAUSED DIRECTLY OR INDIRECTLY BY THE FAILURE OF A

13 COMPUTER, A COMPUTER NETWORK, A COMPUTER PROGRAM, COMPUTER SOFT-

14 WARE, AN EMBEDDED CHIP, OR A COMPUTER SYSTEM TO ACCURATELY OR

15 PROPERLY RECOGNIZE, CALCULATE, DISPLAY, SORT, OR OTHERWISE PRO-

16 CESS DATES OR TIMES IN THE YEARS 1999 AND 2000, AND BEYOND.

17   (C) "COMPUTER NETWORK" MEANS AN INTERCONNECTION OF 2 OR MORE

18 COMPUTERS OR COMPUTER SYSTEMS BY SATELLITE, MICROWAVE, LINE,

19 CABLE, WIRING, OR OTHER COMMUNICATION MEDIUM WITH THE CAPABILITY

20 TO TRANSMIT INFORMATION AMONG THE COMPUTERS OR COMPUTER SYSTEMS.

21   (D) "COMPUTER PROGRAM" MEANS AN ORDERED SET OF DATA-CODED

22 INSTRUCTIONS OR STATEMENTS THAT WHEN EXECUTED BY A COMPUTER CAUSE

23 THE COMPUTER SYSTEM TO PROCESS DATA OR PERFORM SPECIFIC

24 FUNCTIONS.

25   (E) "COMPUTER SOFTWARE" MEANS A SET OF COMPUTER PROGRAMS,

26 PROCEDURES, AND ASSOCIATED DOCUMENTATION RELATED TO THE OPERATION

27 OF A COMPUTER, COMPUTER SYSTEM, OR COMPUTER NETWORK.

1   (F) "COMPUTER SYSTEM" MEANS A COMBINATION OF A COMPUTER OR A

2 COMPUTER NETWORK WITH THE DOCUMENTATION, COMPUTER SOFTWARE, OR

3 PHYSICAL FACILITIES SUPPORTING THE COMPUTER OR COMPUTER NETWORK.

4   (G) "EMBEDDED CHIP" MEANS A SINGLE OR MULTIPLE MICROPROCES-

5 SOR CHIP THAT OPERATES IN CONJUNCTION WITH SOFTWARE, INCLUDING

6 SOFTWARE ON THE CHIP ITSELF, THAT IN SOME WAY CONTROLS A DEVICE

7 OR EQUIPMENT, INCLUDING, BUT NOT LIMITED TO, A COMPUTER OR OTHER

8 ELECTRONIC OR MECHANICAL DEVICE.

9   (H) "STATE AGENCY" MEANS A DEPARTMENT, BOARD, COMMISSION,

10 OFFICE, AGENCY, AUTHORITY, OR OTHER UNIT OF STATE GOVERNMENT.

11 STATE AGENCY DOES NOT INCLUDE AN INSTITUTION OF HIGHER EDUCATION

12 OR A COMMUNITY COLLEGE.

13   (I) "YEAR 2000 EMERGENCY ACTION/CONTINGENCY PLAN" MEANS A

14 PLAN PURSUANT TO WHICH A STATE AGENCY TAKES ACTION THAT IS CALCU-

15 LATED TO AVOID MATERIAL DISRUPTION OF ITS OPERATIONS AS A RESULT

16 OF A COMPUTER DATE FAILURE OF A COMPUTER, COMPUTER NETWORK, COM-

17 PUTER PROGRAM, COMPUTER SOFTWARE, EMBEDDED CHIP, OR COMPUTER

18 SYSTEM.

19   (4) THIS SECTION IS REPEALED EFFECTIVE JANUARY 1, 2005.