_____

By: **Senator Teitelbaum (Chairman, Joint Technology Oversight**
    Committee) and Senators Astle, Currie, DeGrange, Exum, and Hogan
Introduced and read first time: February 2, 2001
Assigned to: Finance

_____

Committee Report: Favorable
Senate action: Adopted
Read second time: March 6, 2001

_____

CHAPTER_____

1 AN ACT concerning

2   **Maryland Uniform Computer Information Transactions Act - Implied**
3   **Warranty Exemption**

4 FOR the purpose of providing an exemption from a certain implied warranty for a
5   computer program provided under a license that does not impose a license fee
6   for certain rights; making stylistic changes; and generally relating to the
7   Maryland Uniform Computer Information Transactions Act and the
8   applicability of a certain implied warranty.

9 BY repealing and reenacting, with amendments,
10   Article - Commercial Law
11   Section 22-406(k)
12   Annotated Code of Maryland
13   (2000 Replacement Volume and 2000 Supplement)

14 BY adding to
15   Article - Commercial Law
16   Section 22-406(l)
17   Annotated Code of Maryland
18   (2000 Replacement Volume and 2000 Supplement)

19   SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

1   **Article - Commercial Law**

2   22-406.

3   (k)   The provisions of §§ 22-403 and 22-405 of this subtitle do not apply to:

4   (1)   [An information/computer] COMPUTER INFORMATION OR A
5 COMPUTER program provided for no fee, unless the [information/computer]
6 COMPUTER INFORMATION OR COMPUTER program is provided in conjunction with
7 the sale or lease of goods, services, [or another information/program] OTHER
8 COMPUTER INFORMATION, OR ANOTHER COMPUTER PROGRAM; or

9   (2)   [An information/computer] COMPUTER INFORMATION OR A
10 COMPUTER program provided as a beta test or similar experimental version of the
11 [information/computer] COMPUTER INFORMATION OR COMPUTER program.

12   (L)   THE PROVISIONS OF § 22-403 OF THIS SUBTITLE DO NOT APPLY TO A
13 COMPUTER PROGRAM PROVIDED UNDER A LICENSE THAT DOES NOT IMPOSE A
14 LICENSE FEE FOR THE RIGHT TO THE SOURCE CODE, TO MAKE COPIES, TO MODIFY,
15 AND TO DISTRIBUTE THE COMPUTER PROGRAM.

16   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2001.