

## No. 1994-15

## AN ACT

## SB 609

Amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for civil proceedings and for monetary limits of parental liability.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 5504 of Title 23 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:

§ 5504. Establishing liability in civil proceedings.

\* \* \*

*(d) Action against parent.—Notwithstanding any provision to the contrary, a victim of a willful, tortious act of a child may initiate a civil action directly against the parent or parents of the child who committed the tortious act for the purpose of receiving compensation for the injuries suffered, not to exceed the limitations set forth in section 5505.*

Section 2. Section 5505 of Title 23 is amended to read:

§ 5505. Monetary limits of liability.

(a) General rule.—Liability of the parents under this chapter shall be limited to:

(1) The sum of [~~\$300~~] ***\$1,000*** for injuries suffered by any one person as a result of one tortious act or continuous series of tortious acts.

(2) The sum of [~~\$1,000~~] ***\$2,500*** regardless of the number of persons who suffer injury as a result of one tortious act or continuous series of tortious acts.

(b) Proceedings where loss exceeds liability.—In the event that actual loss as ascertained by the court or the judgment against the child exceeds [~~\$1,000~~] ***\$2,500***, the parents shall be discharged from further liability by the payment of [~~\$1,000~~] ***\$2,500*** into court. The court shall cause all aggrieved parties to submit itemized statements of loss in writing and shall make distribution proportionately, whether the claims be for injuries to the person or for theft, destruction or loss of property. The court may take testimony to assist it in making proper distribution and may appoint a master to accomplish this purpose. All costs and fees incurred in these proceedings shall be paid from the [~~\$1,000~~] ***\$2,500*** paid into court.

(c) Joint acts by children of same parent.—The limitations on liability set forth in subsections (a) and (b) shall be applicable when two or more children of the same parent engage jointly in the commission of one tortious act or series of tortious acts.

Section 3. This act shall take effect in 60 days.

APPROVED—The 21st day of April, A.D. 1994.

ROBERT P. CASEY