

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1868 Session of
2007

INTRODUCED BY MURT, ARGALL, BENNINGHOFF, BENNINGTON, BEYER,
BISHOP, BOYD, BROOKS, CALTAGIRONE, CLYMER, COSTA, CUTLER,
DENLINGER, DePASQUALE, EVERETT, FAIRCHILD, GEIST, GINGRICH,
GODSHALL, GRUCELA, HARHART, HARPER, HARRIS, HELM, HENNESSEY,
HERSHEY, HORNAMAN, KENNEY, LENTZ, MANN, MANTZ, MARSHALL,
McGEEHAN, McILHATTAN, MELIO, METCALFE, R. MILLER, MOUL,
MOYER, NAILOR, O'NEILL, PAYNE, PEIFER, PETRONE, QUIGLEY,
QUINN, READSHAW, REICHLEY, ROCK, RUBLEY, SABATINA, SAYLOR,
SCAVELLO, SIPTROTH, SOLOBAY, STERN, SWANGER, TANGRETTI,
J. TAYLOR, R. TAYLOR AND VITALI, OCTOBER 2, 2007

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 2, 2007

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, further providing for monetary limits
3 of liability.

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

6 Section 1. Section 5505 of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 5505. Monetary limits of liability.

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

11 (1) The sum of [\$1,000] \$2,000 for injuries suffered by
12 any one person as a result of one tortious act or continuous
13 series of tortious acts.

14 (2) The sum of [\$2,500] \$5,000 regardless of the number

1 of persons who suffer injury as a result of one tortious act
2 or continuous series of tortious acts.

3 (b) Proceedings where loss exceeds liability.--In the event
4 that actual loss as ascertained by the court or the judgment
5 against the child exceeds [\$2,500] the applicable amount under
6 subsection (a), the parents shall be discharged from further
7 liability by the payment of [\$2,500] the applicable amount under
8 subsection (a) into court. The court shall cause all aggrieved
9 parties to submit itemized statements of loss in writing and
10 shall make distribution proportionately, whether the claims be
11 for injuries to the person or for theft, destruction or loss of
12 property. The court may take testimony to assist it in making
13 proper distribution and may appoint a master to accomplish this
14 purpose. All costs and fees incurred in these proceedings shall
15 be [paid from the \$2,500] deducted from the amount paid into
16 court under subsection (a).

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

22 Section 2. This act shall apply to tortious acts committed
23 after the effective date of this section.

24 Section 3. This act shall take effect immediately.