

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 434 Session of 2009

INTRODUCED BY GREENLEAF, FONTANA, WILLIAMS, ALLOWAY, LEACH,  
LOGAN, MUSTO, O'PAKE, WOZNIAK AND SMUCKER, FEBRUARY 20, 2009

REFERRED TO JUDICIARY, FEBRUARY 20, 2009

AN ACT

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

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

6 Section 1. Section 5505(a) and (b) of Title 23 of the  
7 Pennsylvania Consolidated Statutes are 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] \$4,000 regardless of the number  
15 of persons who suffer injury as a result of one tortious act  
16 or continuous series of tortious acts.

17 (b) Proceedings where loss exceeds liability.--In the event  
18 that actual loss as ascertained by the court or the judgment

1 against the child exceeds [\$2,500] \$4,000, the parents shall be  
2 discharged from further liability by the payment of [\$2,500]  
3 \$4,000 into court. The court shall cause all aggrieved parties  
4 to submit itemized statements of loss in writing and shall make  
5 distribution proportionately, whether the claims be for injuries  
6 to the person or for theft, destruction or loss of property. The  
7 court may take testimony to assist it in making proper  
8 distribution and may appoint a master to accomplish this  
9 purpose. All costs and fees incurred in these proceedings shall  
10 be paid from the [\$2,500] \$4,000 paid into court.

11 \* \* \*

12 Section 2. This act shall take effect in 60 days.