

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2592 Session of
2004

INTRODUCED BY FRANKEL, CORRIGAN, COSTA, DALEY, LEDERER,
PISTELLA, ROONEY, THOMAS, WASHINGTON, WATERS AND YOUNGBLOOD,
APRIL 20, 2004

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 20, 2004

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 by adding a subsection to read:
8 § 5505. Monetary limits of liability.

9 * * *

10 (d) Injury inflicted by the use of a firearm.--No limit
11 shall apply to the liability of parents or guardians under this
12 chapter if the child used a firearm in the commission of the
13 tortious act and any of the following apply:

14 (1) The child, prior to the commission of the tortious
15 act, was convicted or adjudicated delinquent of any act,
16 attempted act or threatened act of bodily injury upon any
17 person or expelled or suspended from school for an act,
18 attempted act or threatened act of bodily injury upon any

1 person.

2 (2) The firearm, prior to the commission of the tortious
3 act, was stored in the parent's or guardian's home and the
4 parent or guardian failed to take reasonable measures to deny
5 the child access to the firearm.

6 (3) The parent or guardian knew or should have known
7 that the child had access to the firearm of another person
8 and did not take reasonable measures to prevent the child
9 from continuing to have such access.

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