

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1797 Session of  
2009INTRODUCED BY THOMAS, DALEY, KIRKLAND, PARKER, PASHINSKI,  
SIPTROTH AND SWANGER, JUNE 30, 2009AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, NOVEMBER 17, 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 ESTABLISHING LIABILITY IN CRIMINAL OR JUVENILE PROCEEDINGS. ←

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

7 ~~Section 1. Section 5505(a) of Title 23 of the Pennsylvania~~ ←  
8 ~~Consolidated Statutes is amended and the section is amended by~~  
9 ~~adding a subsection to read:~~

10 ~~§ 5505. Monetary limits of liability.~~

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

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

16 ~~(2) The sum of \$2,500 regardless of the number of~~  
17 ~~persons who suffer injury as a result of one tortious act or~~  
18 ~~continuous series of tortious acts.~~

~~(3) Any restitution liability as set forth in this chapter for children who have yet to attain 21 years of age.~~

~~\* \* \*~~

~~(d) Discharge and transfer of liability. Any monetary liability maintained by a parent once the child reaches 21 years of age shall be discharged from the parent. Any remaining unpaid restitution order for the parent of a child that reaches 21 years of age shall become the liability of the child and continue to be collectable under 42 Pa.C.S. § 9728 (relating to collection of restitution, reparation, fees, costs, fines and penalties).~~

SECTION 1. SECTION 5503 OF TITLE 23 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED BY ADDING A SUBSECTION TO READ:  
§ 5503. ESTABLISHING LIABILITY IN CRIMINAL OR JUVENILE PROCEEDINGS.

\* \* \*

(C) LIMITATION ON DURATION OF ORDER.--ANY ORDER FOR RESTITUTION ENTERED AGAINST A PARENT FOR THE TORTIOUS ACTS OF A CHILD PURSUANT TO SUBSECTION (A) OR THE PROVISIONS OF 42 PA.C.S. CH. 63 OR 97 (RELATING TO SENTENCING) SHALL TERMINATE ON THE DATE ON WHICH THE CHILD REACHES 21 YEARS OF AGE.

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