

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1074 Session of
1991

INTRODUCED BY PISTELLA, WAMBACH, BELFANTI, WOZNIAK, KOSINSKI,
PRESTON, FAIRCHILD, HALUSKA, STABACK, COLAIZZO, HECKLER,
GEIST, ARMSTRONG, MAIALE, KRUSZEWSKI, BUNT, NOYE, RAYMOND,
E. Z. TAYLOR, VROON, BILLOW, MELIO, BELARDI AND BATTISTO,
APRIL 9, 1991

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 9, 1991

AN ACT

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

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, added December 19, 1990 (P.L.1240,
8 No.206), is amended to read:

9 § 5505. Monetary limits of liability.

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

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

15 (2) The sum of [\$1,000] \$3,000 regardless of the number
16 of persons who suffer injury as a result of one tortious act
17 or continuous series of tortious acts.

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

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

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