

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2242 Session of
1978

INTRODUCED BY FREIND, LYNCH, BURD, SCIRICA, PETERSON, DAVIES,
ZEARFOSS, SPITZ, STAIRS, CALTAGIRONE, HONAMAN, LIVENGOD,
D. R. WRIGHT, PANCOAST, RYAN, O'KEEFE, STAPLETON,
E. Z. TAYLOR AND PITTS, APRIL 3, 1978

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 1978

AN ACT

1 Amending the act of July 27, 1967 (P.L.186, No.58), entitled "An
2 act imposing liability upon parents for personal injury, or
3 theft, destruction, or loss of property caused by the wilful,
4 tortious acts of children under eighteen years of
5 age, setting forth limitations, and providing procedure for
6 recovery," authorizing the imposition of criminal fines and
7 penalties on parents of convicted children.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Subsection (a) of section 3, act of July 27, 1967
11 (P.L.186, No.58), entitled "An act imposing liability upon
12 parents for personal injury, or theft, destruction, or loss of
13 property caused by the wilful, tortious acts of children under
14 eighteen years of age, setting forth limitations, and providing
15 procedure for recovery," is amended to read:

16 Section 3. (a) (1) In any proceeding of a criminal nature
17 against a child under the age of eighteen years and in any
18 proceeding against a child in a juvenile court, the court shall
19 ascertain the amount sufficient to fully reimburse any person

1 who has suffered injury to the person, or theft, destruction or
2 loss of property because of the wilful, tortious act of the
3 child, and direct the parents to make payment in the amount not
4 to exceed the limitations set forth in section 4 hereof. If the
5 parents fail to comply with the direction of the court, the
6 amount may be recovered in an action of assumpsit against the
7 parents or either of them.

8 (2) In any proceeding of a criminal nature, including
9 summary proceedings, against a child under the age of eighteen
10 years, including but not limited to proceedings brought pursuant
11 to the act of December 6, 1972 (P.L.1464, No.333), known as the
12 "Juvenile Act," the court may order the payment of fines and
13 penalties by the child's parents for acts attributable to the
14 child if the court is otherwise authorized to impose fines and
15 penalties against the child individually. The limitations
16 prescribed in section 4 shall not apply to fines and penalties
17 imposed under this paragraph.

18 * * *

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