

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 664 Session of
1993

INTRODUCED BY PISTELLA, RAYMOND, OLASZ, PESCI, MELIO, WOZNIAK,
J. TAYLOR, E. Z. TAYLOR, GEIST, DALEY, FARGO, BELFANTI,
PRESTON, WOGAN, STEELMAN, TRELLO, HECKLER, BATTISTO, STABACK
AND SAURMAN, MARCH 22, 1993

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 22, 1993

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 is 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 [\$300] \$1,000 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 [\$1,000] \$3,000 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

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

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

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