

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1372 Session of
2009

INTRODUCED BY MURT, BOBACK, BOYD, CLYMER, CREIGHTON, FAIRCHILD,
GEIST, GIBBONS, GODSHALL, GOODMAN, HARKINS, KORTZ, MELIO,
MILLER, MOUL, O'NEILL, QUINN, READSHAW, SIPTROTH, J. TAYLOR,
VULAKOVICH AND YOUNGBLOOD, APRIL 28, 2009

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 28, 2009

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 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 [\$1,000] \$2,000 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 [\$2,500] \$5,000 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 [\$2,500] the applicable amount under
3 subsection (a), the parents shall be discharged from further
4 liability by the payment of [\$2,500] the applicable amount under
5 subsection (a) into court. The court shall cause all aggrieved
6 parties to submit itemized statements of loss in writing and
7 shall make distribution proportionately, whether the claims be
8 for injuries to the person or for theft, destruction or loss of
9 property. The court may take testimony to assist it in making
10 proper 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 \$2,500] deducted from the amount paid into
13 court under subsection (a).

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

19 Section 2. This act shall apply to tortious acts committed
20 after the effective date of this section.

21 Section 3. This act shall take effect immediately.