

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 10**

H. P. 4

Office of the Clerk of the House

Filed December 5, 1978, pursuant to Joint Rule 21 of the 108th Legislature, by Mr. McKean of Limestone. Printed pursuant to same Joint Rule.

EDWIN H. PERT, Clerk

Presented by Mr. McKean of Limestone.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Relating to the Liability of Parents for Damage by Children.**

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Be it enacted by the People of the State of Maine, as follows:

19 MRSA § 217 is repealed and the following enacted in its place:

**§ 217. Liability of parents for damage by children**

The parent or parents, legal guardian or legal guardians, of any minor who is between 7 and 17 years of age and is living with his parent or parents, legal guardian or legal guardians, which minor willfully or maliciously causes damage to any property or injury to any person, shall be jointly and severally liable with the minor for that damage or injury in an amount not exceeding the lowest appraised value of the damaged property, if totally destroyed, or lowest appraised cost of repairs if the property is repairable, or cost of medical services to any person injured. Nothing in this section shall be construed to relieve the minor from personal liability for that damage or injury.

STATEMENT OF FACT

Parents should be liable for their children's actions. A \$250 limit is absurdly small, and the person being injured or having damages has no recourse. The purpose of this bill is to remedy these problems.