

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1111

H.P. 839

House of Representatives, February 22, 2001

**An Act to Increase the Civil Liability of Parents for the Criminal
Conduct of their Children.**

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative POVICH of Ellsworth. (By Request)

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

4 **Sec. 1. 14 MRSA §304**, as enacted by PL 1995, c. 694, Pt. C,
§1 and affected by Pt. E, §2, is amended to read:

6 **§304. Liability of parents or legal guardians for damage by**
8 **children**

10 If a minor who is between 7 and 17 years of age willfully or
maliciously causes damage to property or injury to a person and
12 the minor would have been liable for the damage or injury if the
minor were an adult and the minor lives with that minor's parents
14 or legal guardians, the parents or legal guardians are jointly
and severally liable with the minor for that damage or injury in
16 an amount not exceeding \$800 \$10,000. This section does not
relieve the minor from personal liability for that damage or
18 injury.

20 **SUMMARY**

22 Current law imposes liability on a parent or guardian of a
minor who intentionally causes damage to a person or property.
24 The monetary liability amount is capped at \$800.

26 This bill increases the cap to \$10,000.