

# MAINE STATE LEGISLATURE

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Date 6/21/23 Report 'C'

L D 139  
(Filing No H-694)

**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "B" to HP 85, L D 139, "An Act to Increase the Liability of Parents and Legal Guardians for Damage by Children"

Amend the bill by striking out everything after the enacting clause and inserting the following

'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

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

If a minor who is ~~between~~ 7 years of age or older and ~~17 under 18~~ years of age willfully or maliciously causes damage to property or injury to a person and 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 or legal guardians, the parents or legal guardians are ~~jointly and severally~~ jointly and severally liable ~~with the minor~~ for that damage or injury in an amount not exceeding ~~\$800~~ \$1,600 This section does not relieve the minor from personal liability for that damage or injury '

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

**SUMMARY**

This amendment replaces the bill The amendment changes the language in the bill, setting the maximum amount of damages for which the parents or legal guardians of a minor who is 7 years of age or older and under 18 years of age may be liable for willful or malicious acts of that minor that cause damage to property or injury to a person by changing the maximum possible amount of damages from \$6,000 in the bill to \$1,600 and removes the portion of the law regarding joint and several liability

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 139

LR 173(04)

**An Act to Increase the Liability of Parents and Legal Guardians for Damage by Children**

**Fiscal Note for Bill as Amended by Committee Amendment "B" (H-694)**

**Committee: Judiciary**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor revenue increase - General Fund

### Correctional and Judicial Impact Statements

May increase the number of civil suits filed in the court system

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time

The collection of additional filing fees will increase General Fund revenue by minor amounts