

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 139

H.P. 85

House of Representatives, January 10, 2023

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

Reference to the Committee on Judiciary suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative RUDNICKI of Fairfield.
Cosponsored by Representative: DRINKWATER of Milford.

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

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

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

5 If a minor who is ~~between~~ 7 years of age or older and ~~17~~ under 18 years of age willfully
6 or maliciously causes damage to property or injury to a person and the minor would have
7 been liable for the damage or injury if the minor were an adult and the minor lives with that
8 minor's parents or legal guardians, the parents or legal guardians are jointly and severally
9 liable with the minor for that damage or injury in an amount not exceeding ~~\$800~~ \$6,000.
10 This section does not relieve the minor from personal liability for that damage or injury.

11 **SUMMARY**

12 This bill amends the current law setting the maximum amount of damages for which
13 the parents or legal guardians of a minor who is 7 years of age or older and under 18 years
14 of age may be liable for willful or malicious acts of that minor that cause damage to
15 property or injury to a person by changing the maximum possible amount of damages from
16 \$800 to \$6,000.