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Date: (Filing No. H-)

JUDICIARY

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

COMMITTEE AMENDMENT “ ” to H.P. 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~~ 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)