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HOUSE BILL NO. 1176

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact § 8.01-44 of the Code of Virginia, relating to actions against parents for conduct of a minor.

Patrons—Rapp, Hamilton and Oder; Senators: Norment and Williams

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Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-44 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-44. Action against parent for damages caused by minor.

~~The owner of any property may~~*Any person may* institute an action and recover from the parents, or either of them, of any minor living with such parents, or either of them, for damages suffered by reason of the willful or malicious ~~destruction of, or damage to, such property by~~ *conduct of* such minor. No more than $2,500 may be recovered from such parents, or either of them, as a result of any incident or occurrence on which such action is based. Any recovery from the parent or parents of such minor shall not preclude full recovery from such minor except to the amount of the recovery from such parent or parents. The provisions of this statute shall be in addition to, and not in lieu of, any other law imposing upon a parent liability for the acts of his minor child.

INTRODUCED