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HOUSE BILL NO. 2401

Offered January 23, 1995

A BILL to amend and reenact § 8.01-43 of the Code of Virginia, relating to damage to property by a minor.

Patron—Jones, J.C.

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 8.01-43 of the Code of Virginia is amended and reenacted as follows:**

§ 8.01-43. Action against parent for damage to property by minor.

A. The Commonwealth, acting through the officers having charge of the public property involved, or the governing body of a county, city, town, or other political subdivision, or a school board 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, public property by such minor. No more than ~~\$1,500~~ \$10,000 may be recovered from such parents or either of them as a result of any incident or occurrence on which such action is based. *However, if such damage is done to public property by defacement with paint or a similar substance, the limit on recovery shall be \$25,000.*

B. *A person or entity 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, property by such minor. No more than \$10,000 may be recovered from such parents or either of them as a result of any incident or occurrence on which such action is based. However, if such damage is done to the property of another by defacement with paint or a similar substance, the limit on recovery shall be \$25,000.*

INTRODUCED

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