

1996 SESSION

INTRODUCED

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SENATE BILL NO. 127

Offered January 10, 1996

A BILL to amend and reenact §§ 8.01-43 and 8.01-44 of the Code of Virginia, relating to actions against parents to recover damages to property by minors.

Patrons—Colgan; Delegates: Brickley, Marshall, Parrish and Rollison

Referred to the Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-43 and 8.01-44 of the Code of Virginia is amended and reenacted as follows:

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

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~~ \$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.

§ 8.01-44. Action against parent for damage to private property by minor.

The owner of any property 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 such minor. No more than ~~\$1,500~~ \$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.

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