



# Senate

General Assembly

**File No. 565**

January Session, 2011

Senate Bill No. 964

*Senate, April 18, 2011*

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING CIVIL LIABILITY OF PARENTS OR GUARDIANS OF CHILDREN WHO CAUSE PERSONAL INJURY OR PROPERTY DAMAGE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-572 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The parent or parents or guardian, other than a temporary  
4 guardian appointed pursuant to section 45a-622, of any  
5 unemancipated minor or minors, which minor or minors wilfully or  
6 maliciously cause damage to any property or injury to any person, or,  
7 having taken a motor vehicle without the permission of the owner  
8 thereof, cause damage to the motor vehicle, shall be jointly and  
9 severally liable with the minor or minors for the damage or injury to  
10 an amount not exceeding [five] ten thousand dollars, if the minor or  
11 minors would have been liable for the damage or injury if they had  
12 been adults.

13 (b) This section shall not be construed to relieve the minor or minors  
14 from personal liability for the damage or injury.

15 (c) The liability provided for in this section shall be in addition to  
16 and not in lieu of any other liability which may exist at law.

17 (d) As used in this section, "damage" shall include depriving the  
18 owner of his property or motor vehicle or of the use, possession or  
19 enjoyment thereof.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2011</i>	52-572
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**JUD**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill increases the maximum civil liability of parents for willful or malicious personal injury or property damage caused by their children, which will not result in a fiscal impact to the Judicial Department.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****SB 964*****AN ACT CONCERNING CIVIL LIABILITY OF PARENTS OR GUARDIANS OF CHILDREN WHO CAUSE PERSONAL INJURY OR PROPERTY DAMAGE.*****SUMMARY:**

This bill doubles, from \$5,000 to \$10,000, the amount of civil damages parents and guardians may be ordered to pay due to their child's misbehavior. Liability is triggered when unemancipated minors willfully or maliciously damage property, hurt someone, or steal and damage a car. The wrongdoing must be such that the child would have been legally responsible had he or she been an adult.

An unemancipated minor is a person under age 18 who lives with and under the care and supervision of a parent or guardian.

EFFECTIVE DATE: October 1, 2011

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 39 Nay 2 (03/30/2011)