

2A:53A-14 and 2A:53A-15
LEGISLATIVE HISTORY CHECKLIST

54p.

HJSA 2A:53A-14 and 2A:53A-15 (Parental liability for damage by minor-- increases)

LAWS OF 1979 CHAPTER 318

Bill No. S650

Sponsor(s) J. Russo

Date Introduced Jan. 19, 1978

Committee: Assembly Judiciary, Law, Public Safety and Defense

Senate Judiciary

Amended during passage Yes according to Governor's recommendations * Amendments denoted by asterisks
 Date of Passage: Assembly July 19, 1979 Re-enacted Jan. 7, 1980
 Senate March 2, 1978 Re-enacted Jan. 5, 1980

Date of approval Jan. 18, 1980

Following statements are attached if available:

Sponsor statement	Yes	Yes	(Below)
Committee Statement: Assembly	Yes	Yes	
Senate	Yes	Yes	
Fiscal Note	Yes	No	
Veto message	Yes	Yes	
Message on signing	Yes	No	
Following were printed:			
Reports	Yes	No	
Hearings	Yes	No	

Sponsor's statement:

This bill increases the liability of a parent, guardian or other person having custody of an infant 16 years of age or under who willfully, maliciously or unlawfully destroys or injures the property of another from \$250.00 to \$1,000.00.

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SENATE, No. 650

STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1978

By Senator J. RUSSO

Referred to Committee on Judiciary

AN ACT to amend *the title of* "An act in relation to liability of a parent, guardian or other person having custody of an infant 16 years of age or under who willfully, maliciously or unlawfully destroys or injures property of another," approved June 15, 1965 (P. L. 1965, c. 111) *so that the same shall read* "An act in relation to the liability of a parent, guardian or other person having custody of an infant under 18 years of age who willfully, maliciously or unlawfully destroys or injures property of another," and to amend the body of said act.

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 **1. The title of P. L. 1965, c. 111 is amended to read as follows:

2 An act in relation to liability of a parent, guardian or other
3 person having custody of an infant **[16]** under 18 years of age **[or**
4 under] who willfully, maliciously or unlawfully destroys or injures
5 property of another.**

1 **[1.]** **2. Section 2 of P. L. 1965, c. 111 (C. 2A:53A-15) is
2 amended to read as follows:

3 2. A parent, guardian or other person having legal custody of
4 an infant **[16]** *under 18* years of age **[or under]**
5 who fails or neglects to exercise reasonable supervision and control
6 of the conduct of such infant, shall be liable in a civil action for any
7 willful, malicious or unlawful injury or destruction by such infant
8 of the real or personal property of another**[,** provided that no
9 recovery may be had in such action against such parent, guardian or
10 other person in excess of **[\$250.00]** **[\$1,000.00]** **[\$2,000.00]*****.

1 **[2.]** **3. This act shall take effect immediately.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 650

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STATE OF NEW JERSEY

DATED: APRIL 23, 1979

This bill amends the statute providing for the liability of a parent, guardian, or other person having custody of an infant who willfully, maliciously or unlawfully destroys or injures the property of another. The bill does two things. It raises from 16 years of age to 18 years of age the age limit of liability for the child. It also raises from \$250.00 to \$2,000.00 the monetary limit of the liability for the child.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 650

with Senate committee amendments

—◆—
STATE OF NEW JERSEY
—◆—

DATED: FEBRUARY 23, 1978

This bill, as amended in committee, increases the liability of a parent, guardian or other person having custody of an infant 16 years of age or under who willfully, maliciously or unlawfully destroys or injures the property of another from \$250.00 to \$2,000.00.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

December 10, 1979

SENATE BILL NO. 650 2nd (OCR)

To the Senate:

Pursuant to Article V, Section 1, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 650 with my objections for your reconsideration.

This bill amends the statute which provides for liability of a person having custody of a minor who willfully, maliciously or unlawfully destroys or injures the property of another. S-650 raises the age of minority from 16 to 18 for purposes of "parental" liability, and increases the monetary limit of liability from \$250 to \$2,000.

I agree with the age amendment which brings this law into the general rule regarding the age of majority in this State. However, I disagree with placing any limitation on the amount of recovery that can be had against the person with custody of an offending minor, assuming, of course, that liability can be proven. While increasing the recovery limit from \$250 to \$2,000 is a step in the right direction, I believe it would be better to eliminate the limitation altogether, and to permit recovery as in any other tort case.

Accordingly, I herewith return S-650 for reconsideration and recommend that it be amended as follows:

Section 2, line 8, delete ", provided that no".

Section 2, line 9, delete entirely.

Section 2, line 10, delete entirely except for final period.

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Harold L. Hodes

CHIEF OF STAFF, SECRETARY