HOUSE BILL NO.   99

1   AN ACT TO AMEND SECTION 93-13-2, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE CIVIL LIABILITY OF PARENTS FOR CRIMINAL ACTS OF MINOR
3 CHILDREN; AND FOR RELATED PURPOSES.

4   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5   SECTION 1. Section 93-13-2, Mississippi Code of 1972, is

6 amended as follows:

7   93-13-2. (1) (a) Any person shall be entitled to recover

8 damages * * *, plus necessary court costs, from the parents of any

9 minor under the age of fifteen (15) years * * *, who maliciously

10 and willfully damages or destroys property belonging to such owner

11 or commits any crime against such person. However, this section

12 shall not apply to parents whose parental custody and control of

13 such child have been removed by court order or decree.

14   (b) Any person shall be entitled to recover damages in

15 an amount not to exceed Two Thousand Dollars ($2,000.00) plus

16 necessary court costs, from the parents of any minor between the

17 age of fifteen (15) and eighteen (18) years, who maliciously and

18 willfully damages or destroys property belonging to such owner or

19 commits any crime against such person. However, this section

20 shall not apply to parents whose parental custody and control of

21 such child have been removed by court order or decree.

22   (2) The action authorized in this section shall be in

23 addition to all other actions which the owner is entitled to

24 maintain and nothing in this section shall preclude recovery in a

25 greater amount from the minor or from any person, including the

26 parents, for damages to which such minor or other person would

27 otherwise be liable.

28   (3) It is the purpose of this section to authorize recovery

29 from parents in situations where they are not otherwise liable and

30 to limit the amount of recovery. The provisions of this section

31 shall apply only to acts committed on and after July 1, 1978.

32   SECTION 2. This act shall take effect and be in force from

33 and after July 1, 1999, and shall apply only to acts committed on

34 and after July 1, 1999.