

HOUSE BILL NO. 9

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES THERRIAULT, Porter, Green

Introduced: 1/16/95

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to recovery of damages from a minor's parent or legal guardian
2 when property is destroyed by the minor."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 34.50.020(a) is amended to read:

5 (a) A person, municipal corporation, association, village, school district, or
6 religious or charitable organization, incorporated or unincorporated, may recover
7 damages in a civil action in an amount not to exceed \$10,000 [\$2,000] and court costs
8 [,] from either parent or both parents or the legal guardian or person having the legal
9 custody of an unemancipated minor under the age of 18 years [,] who
10 [MALICIOUSLY OR WILFULLY] destroys real or personal property belonging to the
11 person, municipal corporation, association, village, school district, or religious or
12 charitable organization.

13 * **Sec. 2.** AS 34.50.020 is amended by adding a new subsection to read:

14 (c) A parent, legal guardian, or person having the legal custody of an

1 unemancipated minor under the age of 18 years who is a runaway or missing minor
2 is not liable under (a) of this section for the acts of the minor after the parent, legal
3 guardian, or person having the legal custody of the minor makes a report to a law
4 enforcement agency, as authorized by AS 47.10.141(a), that the minor has run away
5 or is missing. In this subsection, "runaway or missing minor" means a minor whom
6 the minor's parent, legal guardian, or legal custodian reasonably believes is absent
7 from the minor's residence for the purpose of evading the minor's parent, legal
8 guardian, or legal custodian, or who is otherwise missing from the minor's usual place
9 of abode without the consent of the parent, legal guardian, or person having legal
10 custody of the minor.