

SENATE CS FOR CS FOR HOUSE BILL NO. 79(HES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/4/94
Referred: Judiciary

Sponsor(s): REPRESENTATIVES BUNDE, Toohey, Porter, Olberg, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to recovery from a parent or legal guardian of wilful or
2 malicious destruction of property by a 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 \$25,000 [\$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 maliciously or
10 wilfully destroys real or personal property belonging to the person, municipal
11 corporation, association, village, school district, or religious or charitable organization.

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

13 (c) A parent, legal guardian, or person having the legal custody of an
14 unemancipated minor under the age of 18 years who is a runaway minor is not liable

1 under (a) of this section for the acts of the minor after the parent, legal guardian, or
2 person having the legal custody of the minor makes a report to a law enforcement
3 agency, as authorized by AS 47.10.141(a), that the minor has run away or is missing.
4 In this subsection, "runaway minor" means a minor whom the minor's parent, legal
5 guardian, or legal custodian reasonably believes is absent from the minor's residence
6 for the purpose of evading the minor's parent, legal guardian, or legal custodian, or
7 who is otherwise missing from the minor's usual place of abode without the consent
8 of the parent, legal guardian, or person having legal custody of the minor.