



## **JURISDICTIONS COMPARATIVE CHART**

### **STATUTORY PARENTAL LIABILITY FOR ACTS OF MINOR CHILDREN**

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**STATUTORY PARENTAL LIABILITY FOR ACTS OF MINOR CHILDREN**

JURISDICTION	STATUTE	COVERAGE OF STATUTE	LIMITS OF LIABILITY
<b>ALABAMA</b>	Ala. Code § 6-5-380	Parents, guardian, or other person having care or control over minor liable for all damages caused by the intentional willful, or malicious acts of the minor.	\$1,000, plus court costs.
<b>ALASKA</b>	Alaska Stat. § 09.65.255	Parent(s) liable for “knowing or intentional” act of a minor that destroys real or personal property.	\$15,000 and court costs. If parent(s) insured with limits in excess of \$15,000, damages are capped at the lesser of \$25,000 or policy limits.
<b>ARIZONA</b>	Ariz. Rev. Stat. § 12-661	Minors willful or malicious conduct which injures person or property imputed to parent or legal guardian having custody and control.	\$2,500 per tort.
	Ariz. Rev. Stat. § 28-3160	Parent, guardian or other person who signs application for license/permit liable for negligence or willful misconduct unless proof of financial responsibility maintained on behalf of minor.	
	Ariz. Rev. Stat. § 12-692	Parents or legal guardians liable for minor’s shoplifting.	Amount of goods and penalty of \$100.
<b>ARKANSAS</b>	Ark. Code Ann. § 16-122-101	Parent or legal guardian having custody of minor ages 6-18 liable for theft from stores.	Costs of goods stolen.
	Ark. Code Ann. § 9-25-102	Parent or legal guardian having custody of minor under 18 is liable for malicious destruction of property.	\$5,000.
	Ark. Code Ann. § 27-16-702	Person who signed application of the minor for a permit or license shall be liable with the minor for any damage caused by negligence or willful misconduct when driving a motor vehicle.	
<b>CALIFORNIA</b>	Cal. Civ. Code § 1714.1	Parent and guardian with custody and control of minor liable for willful misconduct of minor, including defacement of property with paint.	Amount adjusted every two years according to formula in CA Rules of Court Appendix, Parental Liability Limits, Div. 7. (\$30,700 in 2003). Injury to person further limited to only include medical, dental, and hospital costs. Insurers only liable for liability imputed to parents up to \$10,000.
	Cal. Civ. Code § 1714.3	Parent or guardian having custody and control of minor who permitted minor to have firearm or left firearm accessible to child liable for injury to person or property due to discharge of firearm by minor (accidental, negligent or willful).	\$30,000 (death 1 person/occurrence) or \$60,000 (death of all persons as result of 1 occurrence).
	Cal. Veh. Code §§ 17707 - 17709	Person who signed application for license or permit jointly and severally liable for negligent or wrongful acts of minor arising out of driving with parent’s express or implied permission.	\$15,000 (one injury or death per accident) \$30,000 for injury death to all persons in one accident) \$5,000 for damage to property.
	Cal. Gov’t Code §38772	Graffiti - parents jointly and severally liable for abating nuisance.	
	Cal. Educ. Code §48904(a)	Parents liable for damages caused by willful misconduct resulting in injury or death or willful injury to school property.	\$10,000, but may also be liable for any reward not exceeding \$10,000.
	Cal. Penal Code §490.5	Parent or legal guardian having custody and control of minor has imputed liability for minor’s willful misconduct or petty theft from merchant, school or library.	\$500.
<b>COLORADO</b>	Colo. Rev. Stat. § 13-21-107.5	Parents or guardian having custody or parental responsibilities of unemancipated minor for shoplifting.	Actual damages plus penalty between \$100- \$250. For shopping cart—actual damages plus \$100.
	Colo. Rev. Stat. § 13-21-107	Parents responsible for malicious or willful destruction of property of children under 18 residing with them.	Actual damages not to exceed \$3,500 plus court costs and attorneys fees.
<b>CONNECTICUT</b>	Conn. Gen. Stat. § 52-572	Parents or non-temporary guardian liable when minors willfully or maliciously cause damage to any property or injury to any person, or having taken a motor vehicle without permission cause damage to motor vehicle.	\$5,000.

<b>DELAWARE</b>	Del. Code Ann. tit. 21, § 6104	Negligence of minor imputed to any person who signed license application.	
	Del. Code Ann. tit. 21, § 6106	Any owner of a motor vehicle who causes or permits a minor to drive the vehicle is jointly and severally liable with the minor for any damages caused by the minor's negligence.	
<b>DISTRICT OF COLUMBIA</b>		No relevant statutes.	
<b>FLORIDA</b>	Fla. Stat. § 322.09	Negligence or willful misconduct while driving imputed to person who signed application for driver's permit or license (except foster parents).	
	Fla. Stat. § 741.24	Parents responsible for willful destruction or theft of property committed by those under 18 and residing with them. The statute does not include guardians.	
<b>GEORGIA</b>	Ga. Code Ann. § 51-2-3	Parent or guardian having custody and control liable for willful or malicious acts of minor child or children resulting in medical expenses to another, damage to property or both.	\$10,000 plus court costs.
	Ga. Code Ann. § 51-2-2	Every person liable for torts committed by child by his command or in prosecution and within the scope of his business whether negligent or voluntary.	
<b>HAWAII</b>	Haw. Rev. Stat. § 577-3	Father and mother of unmarried minor jointly and severally liable for tortuous acts of child.	
	Haw. Rev. Stat. § 286-112	Parent or parents signing permit/license application liable for negligence or misconduct of minor while driving motor vehicle.	
<b>IDAHO</b>	Idaho Code Ann. § 6-210	Parents liable if minor living with them willfully causes economic loss.	\$2,500.
	Idaho Code Ann. § 48-702	Parent or legal guardian having custody liable for minor's shoplifting.	Retail value plus damages of \$100-250 plus costs of suit and attorney fees.
<b>ILLINOIS</b>	740 Ill. Comp. Stat. §§ 115/3 & 115/5	Parent or legal guardian liable for willful or malicious acts of minor which cause injury to persons or property (115/3).	\$20,000 for first act or occurrence and \$30,000 if there is a pattern or practice of such acts.
	720 Ill. Comp. Stat. § 5/21-1.2	Parents or legal guardian liable for institutional vandalism by minor.	\$20,000 for first act or occurrence and \$30,000 if there is a pattern or practice of such acts.
	720 Ill. Comp. Stat. §§ 5/16-25 & 5/16A-7	Parents or guardian liable for retail theft by minor.	Full retail value of merchandise, plus \$100-1,000 plus attorneys fees and court costs. In any case not to exceed \$20,000 for first act or occurrence and \$30,000 if there is a pattern or practice of such acts, plus court costs and attorney fees.
<b>INDIANA</b>	Ind. Code Ann. § 34-31-4-1	Parent liable arising from harm to person or damage to property knowingly, intentionally, or recklessly caused by the parent's child if parent has custody of child and child is living with parent.	\$5,000 in actual damages.
	Ind. Code Ann. § 34-24-9-4	Joint and several liability for individual who signs application for permit or license.	
	Ind. Code § 34-31-4-2	Parent who actively encourages or knowingly benefits from child's involvement in gang is liable for actual damages arising from harm to person or property (if has custody, child living w/ them, and failed to use reasonable efforts to prevent involvement).	
<b>IOWA</b>	Iowa Code § 613.16	Parents responsible for unlawful acts of child (but not parent who is not entitled to legal custody at time of unlawful act).	\$2,000 for one act or \$5,000 (payable to same claimant) for 2 or more acts.
<b>KANSAS</b>	Kan. Stat. Ann. § 38-120	Parents for child's willful or malicious injury to person or property.	\$5,000 in addition to court costs, unless court or jury finds damage or destruction result of parental neglect (then no limit). Recovery for bodily injury limited to actual medical expenses.
	Kan. Stat. Ann. § 60-3331	Parents liable for shoplifting of minor child.	If item recovered in merchantable condition penalty against parent \$50. If not merchantable, twice retail cost or \$50, whichever greater, but not more than \$500.

<b>KENTUCKY</b>	Ky. Rev. Stat. Ann. § 405.025	Parent or guardian liable for willful damage to property caused by minor.	\$2,500. No parent liable in cumulative amount in excess of \$10,000.
	Ky. Rev. Stat. Ann. § 411.095	Custodial parent or legal guardian liable to retailer or wholesaler for minor's theft or destruction of goods	Actual damages and penalty in amount of retail value of merchandise not to exceed \$500 and additional penalty \$100-\$250.
	Ky. Rev. Stat. Ann. § 186.590	Minor's negligence imputed to person signing application for driver's license. Any owner of a motor vehicle that permits a minor to drive the motor vehicle or gives a motor vehicle to a minor is jointly and severally liable with the minor for damage caused by minor's negligence.	
<b>LOUISIANA</b>	La. Rev. Stat. Ann. § 2318	Father and/or mother responsible for damages caused by minor children residing with them or placed by them under care of others.	
<b>MAINE</b>	Maine Rev. Stat. Ann., tit. 14, § 304	Parents or legal guardians are jointly and severally liable for minor's willful or malicious damaging of property.	\$800.
<b>MARYLAND</b>	Md. Code Ann. § 11-604	Parents of minor delinquent child liable to pay restitution after hearing.	\$10,000.
<b>MASSACHUSETTS</b>	Mass. Gen. Laws § 85G.	Parents of child 7-17 liable for any willful act resulting in injury or death to another person or damage to property.	\$5,000.
<b>MICHIGAN</b>	Mich. Comp. Laws § 600.2913	Parent(s) of child living with them who maliciously or willfully destroyed real, personal or mixed property or caused bodily harm or injury.	\$2,500 in a civil action.
<b>MINNESOTA</b>	Minn. Stat. § 540.18	Parent or guardian of minor living with them jointly and severally liable for willful or malicious acts of minor which causes injury to person or damage to property.	\$1,000.
	Minn. Stat. § 169.09(5)(a)	If operating vehicle with consent of owner, operator deemed agent of owner in case of accident.	
<b>MISSISSIPPI</b>	Miss. Code Ann. § 93-13-2	Parents liable for malicious or willful damage or destruction of property by minor over age of 10 and under 18 (does not apply to parents w/o custody).	\$5,000 plus necessary court costs.
	Miss. Code Ann. § 97-15-1.	Parents liable for a minor who willfully destroys, defaces, mars, damages, pulls down, or removes any milepost, signboard, index board, road number, railroad crossing sign or flasher signal, or other traffic control device.	Actual cost of repair.
	Miss. Code Ann. § 97-23-96	Parent or legal guardian who lives with minor liable for minor's shoplifting, if it is proven that the parent or legal guardian had knowledge of the minor's intent to shoplift, or aided and abetted the minor to shoplift.	Threefold actual damages or \$200 whichever greater, plus reasonable attorneys fees and court costs.
	Miss. Code Ann. § 63-1-25	Person who signs permit or license application liable for negligence or willful misconduct of minor while driving.	
<b>MISSOURI</b>	Mo. Rev. Stat. § 537.045	Parents or legal guardian liable for minor's against whom judgment rendered for purposeful marking or defacing of property or purposely causing personal injury to an individual.	\$2,000 provided parent or guardian joined.
	Mo. Rev. Stat. § 8.150	Parent or guardian liable for graffiti.	\$500 penalty.
	Mo. Rev. Stat. § 211.185	Court may enter judgment of restitution against both parent and child if court finds parent failed to exercise reasonable parental discipline or authority when the child has committed specified acts.	
<b>MONTANA</b>	Mont. Code Ann. § 40-6-237	Parent(s) liable if minor living with them maliciously or willfully destroys property.	\$6,900.
	Mont. Code Ann. § 61-5-108	Parent(s) who sign permit / license application liable for negligence or willful misconduct of uninsured minor while driving vehicle.	
	Mont. Code Ann. § 70-6-514	Parent liable for minor who willfully defaces or damages hotel property.	
<b>NEBRASKA</b>	Neb. Rev. Stat. § 25-21, 194	Parents have joint and several liability for minor's shoplifting.	

<b>NEVADA</b>	Nev. Rev. Stat. § 41.470	Minor's act of willful misconduct which results in injury or death to another person or injury to private or public property imputed to parents or guardian having custody and control of minor for all purposes of civil damages.	\$10,000 for each act of willful misconduct of minor.
	Nev. Rev. Stat. § 41.472	Under specified circumstances, if parent, guardian or other person responsible for minor permits them to use or possess firearm, any negligence or willful misconduct of minor in connection w/use or possession is imputed to person.	
	Nev. Rev. Stat. § 379.160	Parent or guardian of minor who willfully detains or damages library material.	Fine of not more than \$500, parent liable for all damages caused by minor.
	Nev. Rev. Stat. § 483.300	Negligent or willful misconduct of minor while driving imputed to parent, custodian or other person who signed permit license.	
	Nev. Rev. Stat. § 486.101	Negligence or willful misconduct of minor while driving motorcycle imputed to person who signed application for license.	
	Nev. Rev. Stat. § 41.440	Liability imputed to owner for family members (including children's) negligent or willful misconduct while driving with express or implied permission.	
<b>NEW HAMPSHIRE</b>	N.H. Rev. Stat. Ann. § 507:8-e	Parent, guardian or other person having legal custody of minor who fails or neglects to exercise reasonable supervision and control of conduct of minor shall be liable for acts of vandalism.	
<b>NEW JERSEY</b>	N.J. Stat. Ann. § 2A:53A-16	Parents of minor who maliciously or willfully injures any property of railroad, street railway, traction railway or autobus public facility liable.	5,000 plus costs of suit.
	N.J. Stat. Ann. § 18A:37-3	Parents or guardian of minor who injure any public or nonpublic school property liable.	Damages in amount of injury plus costs of suit.
<b>NEW MEXICO</b>	N.M. Stat. Ann. § 32A-2-27	Parent, guardian or custodian having custody and control of child liable if minor maliciously or willfully injured a person or damaged, destroyed or deprived use of property.	\$4,000.
	N.M. Stat. Ann. § 66-5-11	If parent or guardian signs minors application for drivers license, liable for negligent acts of child.	
<b>NEW YORK</b>	N.Y. Gen. Obligations Law § 3-112(1)	Parent or legal guardian liable where minor willfully, maliciously, or unlawfully damaged, defaced or destroyed public or private property.	\$5,000.
	N.Y. Gen. Obligations Law § 11-105	Parents or legal guardians liable for minor who commits larceny against mercantile establishment.	If not recovered in merchantable condition: price of merchandise not to exceed \$15,000 plus penalty not to exceed greater of 5 times retail price or \$75 (but not to exceed \$500).
<b>NORTH CAROLINA</b>	N.C. Gen. Stat 1-538.1	Parents of minor who willfully or maliciously injured a person or destroyed real or personal property.	\$2,000.
	N.C. Gen Stat 1-538.2	Parent or guardian liable for larceny shoplifting if knew or should have known of propensity of child to commit such act, had opportunity and ability to control child, and made no reasonable effort to correct or restrain the child.	Not less than \$150 or more than 1,000.
	N.C. Gen Stat 1-538.3	Liability to educational institute for any commission of felony with firearm or explosive on the premises of education institute if parent knew or should have known of propensity of child to commit such act, had opportunity and ability to control child, and made no reasonable effort to correct or restrain the child.	Not less than \$150 or more than \$1,000 Not to exceed \$25,000 in consequential and compensatory damages for false bomb threats. Not to exceed \$50,000 in consequential and compensatory damages for actual detonation of explosive device or discharge of firearm.
<b>NORTH DAKOTA</b>	N.D. Cent. § 32-03-39	Parents of any minor living with parent liable if minor maliciously or willfully destroys real or personal property.	\$1,000. Minor is solely liable for any damages over \$1,000 per § 32-03-09.2.
	N.D. Cent. § 39-06-09.2	Person who signed application for drivers license or permit jointly and severally liable for minor's negligence.	

<b>OHIO</b>	Ohio Rev. Code Ann. § 2307.70	Parent and minor child are jointly and severally liable for vandalism, desecration or ethnic intimidation.	Not to exceed \$15,000, court costs, other reasonable expenses and attorney fees.
	Ohio Rev. Code Ann. § 3109.09	Parent liable for minor's willful damage to property or "theft offense."	\$10,000.
	Ohio Rev. Code Ann. § 3109.10	Parent liable if minor willfully and maliciously assaults person by means of force likely to produce great bodily harm.	\$10,000 and costs of suit.
	Ohio Rev. Code Ann. § 4507.07	Person signing driver's license or permit application is jointly and severally liable for any damages caused by negligence or willful or wanton misconduct of minor (but no imputed liability if proof of financial responsibility).	
<b>OKLAHOMA</b>	Okla. Stat. Ann. 23 § 10	Parent(s) liable for criminal or delinquent act of child under age of 18 when child is living with parent(s).	\$2,500.
	Okla. Stat. Ann. 47 § 6-107	Person who signed the application of the minor for a restricted license shall be jointly and severally liable with the minor for any damages resulting from the minor's negligence or willful misconduct when driving a motor vehicle.	
<b>OREGON</b>	Or. Rev. Stat. Ann. § 30.765	Parents liable for damages to person or property caused by tort intentionally or recklessly committed by minor child.	\$7,500 for one or more acts.
	Or. Rev. Stat. Ann. § 30.875	Parents liable for theft or merchandise or produce.	Actual damages not to exceed \$250 plus additional penalty of \$100-\$250.
<b>PENNSYLVANIA</b>	23 Pa. Consol. Stat. Ann. §§ 5502, 5505, 5508.	Parent liable for child's torts unless parent does not have custody of the child.	\$1,000 (injuries to one person for one or more tortious acts) \$2,500 regardless of number of persons injured.
<b>RHODE ISLAND</b>	R.I. Gen. Laws § 9-1-3.	Parent or parents liable for minor's willful or malicious damage to person or property.	\$1,500.
<b>SOUTH CAROLINA</b>	S.C. Code 63-5-60	Parents jointly liable with child for malicious or willful injury to persons or property.	\$5,000.
<b>SOUTH DAKOTA</b>	S.D. Codified Laws § 25-5-15	Parents liable for malicious and willful act or acts of minor child while child residing with them.	\$2,500 and court costs (does not apply to damages proximately caused by operation of vehicle by minor).
<b>TENNESSEE</b>	Tenn. Code Ann. § 37-10-101	Parents or guardian liable if minor willfully or maliciously causes personal injury to person or destroys property belonging to municipal corp., county, township, village, school district or department of state or persons or religious organizations if minor lives with them.	\$10,000.
	Tenn. Code Ann. § 37-10-103	Parents or guardians liable for the torts of a minor child that cause injury or property damage if the parents/guardians know (or should know) of the child's tendency to commit wrongful acts that could cause injury or property damage and the parents/guardians had an opportunity to control the child but failed to exercise reasonable means to do so. Parents/guardians are presumed to know of the child's tendency to commit wrongful acts if the child has previously been charged and found responsible for such actions.	
<b>TEXAS</b>	Tex. Fam. Code Ann. § 41.001	Parent or other person who has the duty of control of child is liable for (1) any property damage proximately caused by the negligent conduct of the child if the conduct is reasonably attributable to the failure of the parent or other person to exercise the duty of control or (2) willful and malicious conduct of a child between the ages of 10 and 18; for damages caused by willful and malicious conduct.	\$25,000 per occurrence, plus court costs and reasonable attorney's fees.
<b>UTAH</b>	Utah Code Ann. § 78A-6-113	Parent or legal guardian with legal custody liable for damages to property for specified intentional and willful acts of minor.	\$2,000; court may waive parental liability in some circumstances.
	Utah Code Ann. § 78B-3-108	Parents jointly and severally liable for minor's shoplifting. Parent/legal guardian not liable if made reasonable effort to restrain and did not fail to report after knew of minor's unlawful act.	Price of merchandise (not to exceed \$500) and additional penalty \$50-500.
	Utah Code Ann. § 53-3-211	Parent, guardian or other adult signing application for driver's license/permit liable for minor's negligent acts.	Policy minimum limits.
	Utah Code Ann. § 53-3-212	Owner of motor vehicle knowingly allowing minor to use car also liable for minor's negligent acts.	Policy minimum limits.
<b>VERMONT</b>	Vt. Stat. Ann. § 901	Either parent liable for willful or malicious conduct of minor which causes injury to person or property.	\$5,000.

<b>VIRGINIA</b>	Va. Code Ann. § 8.01-44	Parents liable for willful or malicious destruction or damage to property by minor living with them.	\$2,500.
<b>WASHINGTON</b>	Wash. Rev. Code § 4.24.190	Parents liable if minor living with them willfully or maliciously destroys or defaces property.	\$5,000.
	Wash. Rev. Code § 4.24.230	Parent or legal guardian liable for shoplifting or non-payment at food or lodging facility.	Actual damages not to exceed \$1,425 plus additional penalty of \$100-\$650, costs, and reasonable attorney's fees.
<b>WEST VIRGINIA</b>	W. Va. Code § 55-7A-2	Custodial parent or parents liable for malicious and willful injury to person, property, setting fires, stealing.	\$5,000.
	W. Va. Code § 10-1-11	Parent or guardian liable for minor who willfully retains library materials for 30 days after notice received.	\$2,500.
<b>WISCONSIN</b>	Wis. Stat. § 895.035	Parent or parents with custody liable for various specified acts of minor children.	Generally: \$5,000 per act plus costs and attorneys fees. School board: \$20,000 plus costs and attorneys fees. Shoplifting: see § 943.51.
	Wis. Stat. § 343.15	Parents liable for any negligent or willful misconduct of minor when operating vehicle on highways where both have custody and one signed; otherwise to the signing parent.	The higher of \$300,000 or the limits of any insurance coverage under the parents' policy.
<b>WYOMING</b>	Wyo. Stat. Ann. § 14-2-203	Parents liable for malicious or willful damage or destruction of property by minor aged 10-16 (unless custody revoked by court).	\$2,000 and court costs.
	Wyo. Stat. Ann. § 1-1-127	Parents or guardian for shoplifting of minor over age 10.	Return of property in original condition or actual damages of full price of property plus twice full price of property but not less than \$50 or more than \$1,000; reasonable attorney fees and court costs.

**Note:** This document is intended to provide a general overview of the laws enacted in each state. Many of the statutes listed are complex, and do not lend themselves to a concise summary. Also, while we have made every effort to verify the accuracy of the materials summarized as of the date indicated, these statutes and cases are subject to revision, amendment and modification, as well as to differing court interpretations. It therefore is intended that this document should serve only as a guideline, for purposes of general reference, and is not a substitute for legal advice from a qualified attorney. Please feel free to contact any Cozen O'Connor attorney for additional information and assistance.