

1 ^H BILL NO. 193 *Rok*
2 INTRODUCED BY *Simons*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE
5 LIMITATION ON THE AMOUNT OF RECOVERY AVAILABLE IN CASES OF
6 DESTRUCTION OF PROPERTY BY A MINOR; AMENDING SECTIONS
7 61-112.1 AND 61-112.2, R.C.M. 1947."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 61-112.1, R.C.M. 1947, is amended
11 to read as follows:

12 "61-112.1. Destruction of property by person under 18
13 -- liability of parents for. Any municipal corporation,
14 county, city, town, school district, or department of the
15 state of ~~Montana~~, or any person, or any religious
16 organization, whether incorporated or unincorporated, shall
17 be entitled to recover damages in a civil action in an
18 ~~amount not to exceed three hundred dollars--(\$300.00)~~ in a
19 court of competent jurisdiction from the parents, guardians,
20 or custodian of any person under the age of eighteen ~~(18)~~
21 years, living with the parents, guardian, or custodian, who
22 shall maliciously or willfully destroy property, real,
23 personal, or mixed, belonging to such municipal corporation,
24 county, city, town, school district, or department of the
25 state of ~~Montana~~, or person, or religious organization."

1 Section 2. Section 61-112.2, R.C.M. 1947, is amended
2 to read as follows:

3 "61-112.2. Limitation on amount of recovery. The
4 recovery shall be limited to the actual damages ~~in an amount~~
5 ~~not to exceed three hundred dollars--(\$300.00)--in addition to~~
6 plus taxable court costs, and a reasonable attorney's fee to
7 be set by the court, not to exceed ~~one hundred dollars~~
8 ~~(\$100)~~. The right to recover attorney fees as provided by
9 this section shall be limited to a person bringing an action
10 under section 61-112.1, ~~R.C.M. 1947.~~"

-End-

INTRODUCED BILL

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