

1 H BILL NO. 202  
 2 INTRODUCED BY Scully, Ramsey

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE LIMITATION  
 5 ON THE AMOUNT OF RECOVERY FROM PARENTS OF CHILDREN WHO  
 6 WILLFULLY DESTROY PROPERTY FROM \$300 TO \$1,500; AMENDING  
 7 SECTIONS 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 ~~eighteen~~ -- liability of parents for. Any municipal  
 14 corporation, county, city, town, school district, or  
 15 department of the state of Montana, or any person, or any  
 16 religious organization, whether incorporated or  
 17 unincorporated, ~~shall be~~ is entitled to recover damages in a  
 18 civil action in an amount not to exceed ~~three-hundred~~  
 19 ~~dollars--(\$300.00)~~ \$1,500 in a court of competent  
 20 jurisdiction from the parents of any person under the age of  
 21 ~~eighteen-(18)~~ years, living with the parents, who shall  
 22 maliciously or willfully destroy property, real, personal,  
 23 or mixed, belonging to such municipal corporation, county,  
 24 city, town, school district, or department of the state of  
 25 Montana, or person or religious organization."

INTRODUCED BILL

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)~~ \$1,500 in  
 6 addition to taxable court costs, and a reasonable attorney's  
 7 fee to be set by the court, not to exceed ~~one-hundred~~  
 8 ~~dollars-(100)~~. The right to recover attorney fees as  
 9 provided by this section ~~shall be~~ is limited to a person  
 10 bringing an action under ~~section 61-112.1, R.C.M., 1947.~~"

-End-

HB 202

Approved by Committee on Judiciary

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2 INTRODUCED BY Scully, Ramsey

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17 unincorporated, ~~shall be~~ is entitled to recover damages in a  
18 civil action in an amount not to exceed ~~three--hundred~~  
19 ~~dollars--(\$300.00)~~ \$1,500 in a court of competent  
20 jurisdiction from the parents of any person under the age of  
21 ~~eighteen-(18)~~ years, living with the parents, who shall  
22 maliciously or willfully destroy property, real, personal,  
23 or mixed, belonging to such municipal corporation, county,  
24 city, town, school district, or department of the state of  
25 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)~~ \$1,500 in  
6 addition to taxable court costs, and a reasonable attorney's  
7 fee to be set by the court, not to exceed ~~one-hundred~~  
8 ~~dollars--(\$100)~~. The right to recover attorney fees as  
9 provided by this section ~~shall be~~ is limited to a person  
10 bringing an action under section 61-112.1, R.C.M. 1947."

-End-

1 H BILL NO. 202  
 2 INTRODUCED BY Scott Ramsey

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 5 ON THE AMOUNT OF RECOVERY FROM PARENTS OF CHILDREN WHO  
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 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 eighteen -- liability of parents for. Any municipal  
 14 corporation, county, city, town, school district, or  
 15 department of the state of Montana, or any person, or any  
 16 religious organization, whether incorporated or  
 17 unincorporated, ~~shall be~~ is entitled to recover damages in a  
 18 civil action in an amount not to exceed ~~three--hundred~~  
 19 ~~dollars--(\$300.00)~~ \$1,500 in a court of competent  
 20 jurisdiction from the parents of any person under the age of  
 21 ~~eighteen--(18)~~ years, living with the parents, who shall  
 22 maliciously or willfully destroy property, real, personal,  
 23 or mixed, belonging to such municipal corporation, county,  
 24 city, town, school district, or department of the state of  
 25 Montana, or person or religious organization."

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

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

-End-

1 HOUSE BILL NO. 202  
 2 INTRODUCED BY SCULLY, RAMIREZ  
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE LIMITATION  
 5 ON THE AMOUNT OF RECOVERY FROM PARENTS OF CHILDREN WHO  
 6 WILLFULLY DESTROY PROPERTY FROM \$300 TO \$1,500; AMENDING  
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 13 eighteen -- liability of parents for. Any municipal  
 14 corporation, county, city, town, school district, or  
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 18 civil action in an amount not to exceed ~~three--hundred~~  
 19 ~~dollars--(\$300.00)~~ \$1,500 in a court of competent  
 20 jurisdiction from the parents of any person under the age of  
 21 ~~eighteen-(18)~~ years, living with the parents, who shall  
 22 maliciously or willfully destroy property, real, personal,  
 23 or mixed, belonging to such municipal corporation, county,  
 24 city, town, school district, or department of the state of  
 25 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)~~ \$1,500 in  
 6 addition to taxable court costs, and a reasonable attorney's  
 7 fee to be set by the court, not to exceed ~~one-hundred~~  
 8 ~~dollars--(\$100)~~. The right to recover attorney fees as  
 9 provided by this section ~~shall be~~ is limited to a person  
 10 bringing an action under ~~section 61-112.1, R.C.M. 1947.~~"

-End-