

BILL ANALYSIS

Senate Research Center

H.B. 2531
By: Gutierrez (Ellis)
Jurisprudence
5-6-97
Engrossed

DIGEST

Currently, Chapter 41 of the Family Code makes parents liable for actual damages caused by the child in certain cases, up to the amount of \$15,000. This amount was enacted into law over twenty years ago and does not figure in the current price index. This bill would raise the amount of recovery of damage to \$25,000 per act.

PURPOSE

As proposed, H.B. 2531 provides that parents are liable for actual damages caused by the child in certain cases, up to the amount of \$25,000 per act, rather than \$15,000 per act.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.002, Family Code, to provide that damage caused by wilful and malicious conduct is limited to actual damages, not to exceed \$25,000, rather than \$15,000, per occurrence, plus court costs and reasonable attorney's fees.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.