

BILL ANALYSIS

Senate Research Center
77R2925 MCK-D

S.B. 233
By: Harris
Jurisprudence
01/19/2001
As Filed

DIGEST AND PURPOSE

Currently, there is an inconsistency in the Family Code regarding the age bracket used in the definition of a child. As proposed, S.B. 233 amends a portion of the statutes pertaining to parental liability for the conduct of a child to include children who are at least 10, rather than 12, years of age.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.001, Family Code, to provide that a parent or other person who has the duty of control and reasonable discipline of a child is liable for any property damage proximately caused by:

- the negligent conduct of the child if the conduct is reasonably attributable to the negligent failure of the parent or other person, rather than persons, to exercise that duty; or
- the wilful and malicious conduct of a child who is at least 10, rather than 12, years of age but under 18 years of age.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.