

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 540
SENATE BILL 431

AN ACT RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION TO INCREASE THE MAXIMUM AMOUNT THAT MAY BE RECOVERED IN STRICT LIABILITY FOR DAMAGE TO PERSON OR PROPERTY BY MINORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-538.1 reads as rewritten:

"§ 1-538.1. Strict liability for damage to person or property by minors.

Any person or other legal entity shall be entitled to recover actual damages suffered in an amount not to exceed a total of ~~one thousand dollars (\$1,000)~~ two thousand dollars (\$2,000) from the parent or parents of any minor who shall maliciously or willfully injure such person or destroy the real or personal property of such person. Parents whose custody and control have been removed by court order or by contract prior to the act complained of shall not be liable under this act. This act shall not preclude or limit recovery of damages from parents under common law remedies available in this State."

Sec. 2. This act becomes effective October 1, 1993, and applies to causes of action arising on or after that date.

In the General Assembly read three times and ratified this the 24th day of July, 1993.

Marc Basnight
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives