

HOUSE BILL REPORT

HB 2284

As Reported by House Committee On:
Judiciary

Title: An act relating to addressing civil liability of parents and legal guardians concerning minors who take possession of goods without consent of the owner or seller.

Brief Description: Addressing civil liability of parents and legal guardians under certain circumstances.

Sponsors: Representative Hunt.

Brief History:

Committee Activity:

Judiciary: 1/23/12, 1/30/12 [DP].

Brief Summary of Bill

- Changes the minimum and maximum additional civil penalties for which parents and legal guardians are liable when a minor unlawfully takes a retail good, food, or sleeping accommodation.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 13 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler, Eddy, Hansen, Kirby, Klippert, Nealey, Orwall, Rivers and Roberts.

Staff: Valerie Rickman (786-7119) and Trudes Tango (786-7384).

Background:

A parent or guardian of an unemancipated minor who unlawfully takes possession of any good, ware, or merchandise is liable to the owner or seller for the retail value of the item or service taken plus an additional penalty and reasonable attorneys' fees. The additional penalty is a minimum of \$150, but cannot exceed \$650.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The additional civil penalty for which a parent or legal guardian is liable is amended. The statutory minimum for the additional penalty of \$150 is removed and the maximum is set as the lesser of \$650 or 25 times the retail value of the unlawfully taken retail good, food, or sleeping accommodation. Provisions related to the penalty for the retail value of the retail good, food, or sleeping accommodation and reasonable attorneys' fee are not changed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) It can be difficult for low income families to pay the additional penalties. The proposed bill removes the minimum, allowing a merchant the discretion to assess a penalty of less than \$100, and establishes a proportional standard for the maximum penalty. This bill will make a difference for families of youth who make a mistake.

(Opposed) None.

Persons Testifying: Karl Smith.

Persons Signed In To Testify But Not Testifying: None.