

## CHAPTER 260

(House Bill 105)

AN ACT to add new Section 71A to Article 26 of the Annotated Code of Maryland (1957 Edition), title "Courts," to follow immediately after Section 71 thereof, and to be under the new subtitle "Special Powers in Juvenile Causes," providing that judges or magistrates sitting in juvenile causes, may GRANT JUDGMENTS AGAINST PARENTS OR require parents to make restitution in certain cases where minor children of such parents are responsible for the destruction or theft of property owned by another and SPECIFYING THE LIMITS OF SUCH LIABILITY, AND requiring the children to make restitution in certain cases.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 71A be and it is hereby added to Article 26 of the Annotated Code of Maryland (1957 Edition), title "Courts," to follow immediately after Section 71 thereof, to be under the new subtitle "Special Powers in Juvenile Causes," and to read as follows:

*Special Powers in Juvenile Causes*

## 71A.

*Any judge or magistrate, sitting in any juvenile cause, shall have power to require any parent to make restitution for acts of destruction or theft of any property owned by another, caused or committed by the minor child of such parent; provided, however, that the limit of such parents liability under this section shall not exceed the sum of five hundred dollars (\$500.00); provided further, however, that the court may pass an appropriate order requiring such minor child who destroys or steals property to make restitution himself if such is feasible considering the age and circumstances of such child and the requirement of the child's making restitution shall precede any liability of the parent hereunder.*

ANY JUDGE HAVING, SITTING, AND EXERCISING JURISDICTION IN ANY JUVENILE CAUSE, LAWFULLY BEFORE HIM, SHALL, IN HIS DISCRETION, HAVE POWER TO AWARD A JUDGMENT IN FAVOR OF A WRONGED PERSON AND AGAINST ANY PARENT FOR ACTS OF WILFUL OR MALICIOUS DESTRUCTION OR THEFT OF ANY PROPERTY OWNED BY SUCH WRONGED PERSON, CAUSED OR COMMITTED BY THE MINOR CHILD OF SUCH PARENT, OR SUCH JUDGE MAY ORDER SUCH PARENT TO MAKE RESTITUTION TO THE PERSON WHOSE PROPERTY HAS BEEN SO DESTROYED OR STOLEN AND SHALL HAVE FULL POWER TO CITE FOR CONTEMPT FOR A VIOLATION THEREOF IF THE FACTS OF A PARTICULAR CASE BEFORE HIM INDICATES SUFFICIENT ABILITY OF SUCH PARENT TO COMPLY WITH SUCH ORDER. THE LIMIT OF SUCH PARENT'S LIABILITY UNDER THIS SECTION SHALL NOT EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00). THE COURT MAY PASS AN APPROPRIATE ORDER REQUIRING SUCH MINOR CHILD WHO WILFULLY OR MALICIOUSLY DESTROYS OR STEALS PROPERTY TO MAKE RESTITUTION HIMSELF IF SUCH IS