

CHAPTER 208

AN ACT to create 331.035 of the statutes, relating to liability of parent for malicious or wanton acts of child.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

331.035 of the statutes is created to read:

331.035 PARENTAL LIABILITY FOR ACTS OF MINOR CHILD.

(1) The parent or parents having legal custody of an unemancipated minor child, in any circumstances where he or they may not be otherwise liable under the common law, may nevertheless for cause shown and in the discretion of the court be held liable for damages to property not to exceed \$300, in addition to taxable costs and disbursements directly attributable to any wilful, malicious or wanton act of the child.

(2) Maximum recovery from any parent or parents of any child may not exceed the limitation provided in sub. (1) for any one wilful, malicious or wanton act of such child and if 2 or more children of the same parent or parents having legal custody commit the same act the recovery may not exceed in the aggregate \$300, in addition to taxable costs and disbursements.

(3) This section shall not limit the amount of damages recoverable by an action against the child or children except that any amount so recovered shall be reduced and apportioned by the amounts received from the parent or parents under this section.

(4) The limitation provided in s. 330.19 (5) shall govern the recovery under this section.

Approved June 17, 1957.
