

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 414
HOUSE BILL 523

AN ACT TO REWRITE THE STATUTORY PROVISION PERTAINING TO DAMAGES RECOVERABLE FROM PARENTS FOR A MINOR'S INJURY TO PERSON OR PROPERTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-538.1 is rewritten to read:

"§ 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) 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 is effective upon ratification and applies to actions for damages suffered on or after this date.

In the General Assembly read three times and ratified, this the 18th day of May, 1981.