

IC 34-31-4

Chapter 4. Limited Liability of Parents for Damages Caused by Child

IC 34-31-4-0.2

Application of certain amendments to prior law

Sec. 0.2. The amendments made to IC 34-4-31-1 (before its repeal, now codified in this chapter) by P.L.208-1997 apply to a cause of action that accrues after June 30, 1997.

As added by P.L.220-2011, SEC.570.

IC 34-31-4-1

Maximum limit of liability

Sec. 1. Except as provided in section 2 of this chapter, a parent is liable for not more than five thousand dollars (\$5,000) in actual damages arising from harm to a person or damage to property knowingly, intentionally, or recklessly caused by the parent's child if:

- (1) the parent has custody of the child; and
- (2) the child is living with the parent.

As added by P.L.1-1998, SEC.27.

IC 34-31-4-2

Child participant in criminal gang activity

Sec. 2. A parent of a child who is a member of a criminal gang (as defined in IC 35-45-9-1), who actively encourages or knowingly benefits from the child's involvement in the criminal gang, is liable for actual damages arising from harm to a person or property intentionally caused by the child while participating in a criminal gang activity if:

- (1) the parent has custody of the child;
- (2) the child is living with the parent or guardian; and
- (3) the parent failed to use reasonable efforts to prevent the child's involvement in the criminal gang.

As added by P.L.1-1998, SEC.27.