



ALASKA STATE LEGISLATURE
SENATOR GRETCHEN GUESS
SENATOR FRED DYSON

Sponsor Statement

CS Senate Bill 10:

"An Act relating to civil liability for damage to or destruction of property by minors; relating to court revocation of a minor's privilege to drive, relating to restitution for certain acts of minors; and amending Rule 60, Alaska Rules of Civil Procedure."

Senate Bill (SB) 10 started out to lift the cap on civil liability for minor's vandalism, holding children and their parents accountable for the damage caused by minors.

In examining the current system, however, we found the juvenile system contains three processes for holding minors and their parents accountable for restitution: informal probation, criminal adjudication, and civil litigation. Each process approaches the crime of vandalism, non-vandalism crimes, the accountability of minors, and the accountability of parents differently.

The intent of Committee Substitute (CS) for SB 10 is to establish a consistent set of policies for all three processes to ensure full restitution, to hold minors and their parents appropriately accountable, and to improve the collection of restitution.

The key provisions of CS SB 10, applied to informal probation, criminal adjudication, and civil litigation processes, are as follows.

- All crimes against property are included except for shoplifting.
- All processes must result in full restitution being paid to the victim, unless the minor has no parents.
- Minors are accountable for the first \$5,000 of damages. Parents are accountable for the next \$15,000, and the minor pays the remaining amount. These allocations increase with the rate of inflation.
- The processes must develop payment plans based on ability to pay.
- Legal guardians, parents of runaway or missing minors, and adoptive parents of a hard-to-place child are exempt from liability.
- PFDs may be garnished and the court can order applying for a PFD.

Additionally, CS SB 10 revokes a minor's driver's license for any criminal adjudication.

Thank you for your consideration.