

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 22-1090

BY REPRESENTATIVE(S) Ransom and Young, Amabile, Bernett, Bird, Carver, Catlin, Cutter, Exum, Froelich, Geitner, Gonzales-Gutierrez, Gray, Herod, Hooton, Kipp, Lindsay, Luck, McCormick, McKean, McLachlan, Pelton, Pico, Rich, Sirota, Titone, Van Beber, Van Winkle, Williams; also SENATOR(S) Buckner and Smallwood, Bridges, Coleman, Cooke, Gardner, Ginal, Hansen, Hinrichsen, Hisey, Holbert, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Priola, Rankin, Scott, Simpson, Sonnenberg, Woodward.

CONCERNING ALLOWING A CHILD REASONABLE INDEPENDENCE TO ENGAGE IN ACTIVITIES WITHOUT FINDING THAT THE CHILD IS ABUSED OR NEGLECTED.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 19-1-103, **amend** (100) as follows:

19-1-103. Definitions. As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(100) (a) "Neglect", as used in part 3 of article 3 of this title 19,

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

means acts that can reasonably be construed to fall under the definition of "child abuse or neglect" as defined in subsection (1) of this section.

(b) A CHILD IS NOT NEGLECTED WHEN ALLOWED TO PARTICIPATE IN INDEPENDENT ACTIVITIES THAT A REASONABLE AND PRUDENT PARENT, GUARDIAN, OR LEGAL CUSTODIAN WOULD CONSIDER SAFE GIVEN THE CHILD'S MATURITY, CONDITION, AND ABILITIES, INCLUDING BUT NOT LIMITED TO ACTIVITIES SUCH AS:

(I) TRAVELING TO AND FROM SCHOOL, INCLUDING WALKING, RUNNING, BICYCLING, OR OTHER SIMILAR MODE OF TRAVEL;

(II) TRAVELING TO AND FROM NEARBY COMMERCIAL OR RECREATIONAL FACILITIES;

(III) ENGAGING IN OUTDOOR PLAY; AND

(IV) REMAINING IN A HOME OR OTHER LOCATION THAT A REASONABLE AND PRUDENT PARENT, GUARDIAN, OR LEGAL CUSTODIAN WOULD CONSIDER SAFE FOR THE CHILD.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO