

**Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 22-0195.01 Jane Ritter x4342

HOUSE BILL 22-1090

HOUSE SPONSORSHIP

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

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House Committees

Public & Behavioral Health & Human Services

Senate Committees

Health & Human Services

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, a child is neglected or dependent if the child's environment is injurious to the child's health or welfare. The bill clarifies that a child is not neglected when allowed to participate in certain independent activities that a reasonable and prudent parent, guardian, or legal custodian would consider safe given the child's maturity, condition,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

SENATE
3rd Reading Unamended
March 15, 2022

SENATE
2nd Reading Unamended
March 14, 2022

HOUSE
3rd Reading Unamended
February 18, 2022

HOUSE
2nd Reading Unamended
February 17, 2022

and abilities.

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

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

4 **19-1-103. Definitions.** As used in this title 19 or in the specified
5 portion of this title 19, unless the context otherwise requires:

6 (100) (a) "Neglect", as used in part 3 of article 3 of this title 19,
7 means acts that can reasonably be construed to fall under the definition
8 of "child abuse or neglect" as defined in subsection (1) of this section.

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

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

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

18 (III) ENGAGING IN OUTDOOR PLAY; AND

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

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2022 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.