

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0195.01 Jane Ritter x4342

HOUSE BILL 22-1090

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HOUSE SPONSORSHIP

Ransom and Young,

SENATE SPONSORSHIP

Buckner and Smallwood,

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House Committees

Public & Behavioral Health & Human Services

Senate Committees

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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.

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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.

and abilities.

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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.