

1 SENATE BILL NO. 339
2 INTRODUCED BY K. BOGNER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING REASONABLE CHILDHOOD INDEPENDENCE
5 LAWS."

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7 WHEREAS, we can mitigate the rise in childhood obesity and its lifelong negative impacts by
8 encouraging a healthy, active lifestyle through outdoor play; and

9 WHEREAS, it is in the best interest of children to give them independence proportional to their
10 intellectual, emotional, and physical maturity; and

11 WHEREAS, a child's parent or guardian is best poised to determine that child's intellectual, emotional,
12 and physical maturity; and

13 WHEREAS, the Legislature wishes to protect and promote the right of parents to raise their own
14 children.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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18 NEW SECTION. **Section 1. Reasonable childhood independence.** A parent or guardian of a child
19 does not violate a duty of care, protection, or support by permitting the child to engage in independent activities
20 consistent with the child's intellectual, emotional, and physical maturity, including:

- 21 (1) traveling to and from school by walking, running, bicycling, public transit, or other means;
- 22 (2) traveling to and from nearby commercial or recreational facilities;
- 23 (3) engaging in outdoor play;
- 24 (4) remaining for less than 15 minutes in a vehicle if the temperature inside the vehicle is not or will
25 not become dangerously hot or cold;
- 26 (5) remaining at home if the parent or guardian:
 - 27 (a) returns home the same day on which the parent or guardian gives the child permission to
28 remain at home;

1 (b) makes provisions for the child to contact the parent or guardian; and

2 (c) makes provisions for any reasonably foreseeable emergency.

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4 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
5 integral part of Title 45, chapter 5, part 6, and the provisions of Title 45, chapter 5, part 6, apply to [section 1].

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