



AN ACT ESTABLISHING REASONABLE CHILDHOOD INDEPENDENCE LAWS.

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

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

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

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

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

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

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

- (b) makes provisions for the child to contact the parent or guardian; and
- (c) makes provisions for any reasonably foreseeable emergency.

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

- END -

I hereby certify that the within bill,
SB 339, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2023.

Speaker of the House

Signed this _____ day
of _____, 2023.

SENATE BILL NO. 339

INTRODUCED BY K. BOGNER

AN ACT ESTABLISHING REASONABLE CHILDHOOD INDEPENDENCE LAWS.