

The Free-Range Parenting Act

Purpose:

This proposal protects parents who allow their children to partake in unsupervised activities such as walking to school, playing outside, etc., by clarifying that these do not constitute child neglect. The bill says that neglect requires a blatant disregard of parental responsibilities in a manner likely to cause serious risk of harm to a child rather than reasonable efforts by the parents to encourage youth independence.

Note: The following definitions will likely need to be added or amended into your state's juvenile laws such that they amend and restrict existing definitions being used by child welfare services and law enforcement.

Text:

Section 1.

- (1) "Neglect" or "neglectful supervision" includes placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child as a result of a blatant disregard of parent or caretaker responsibilities.
- (2) "Neglect" or "neglectful supervision" does not include permitting a child, who is of sufficient maturity, physical condition, and mental abilities to avoid substantial risk of physical harm, to engage in independent activities including, but not limited to:
 - (a) 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;
 - (b) traveling to and from school, including by walking, running, or bicycling;
 - (c) traveling to and from nearby commercial or recreational facilities;
 - (d) engaging in outdoor play;
 - (e) remaining at home unattended if the parent or caregiver:
 - (i) returns home on the same day on which the parent or caregiver gives the child permission to remain at home;
 - (ii) makes provisions for the child to be able to contact the parent or caregiver on the same day on which the parent or caregiver gives the child permission to remain at home; and
 - (iii) makes provisions for any reasonably foreseeable emergencies that may arise on the same day on which the parent or caregiver gives the child permission to remain at home; or
 - (f) engaging in a similar independent activity.
- (3) "Blatant disregard" means a situation where the real, significant, and imminent risk of harm would be so obvious to a reasonable parent or caretaker that it is unlikely that a reasonable parent or caretaker would have exposed the child to the danger without exercising precautionary measures to protect the child from harm.

To learn more about this model language, please contact Rees Empey at rees@libertasutah.org