Senate Bill 368

Sponsored by Senator BOQUIST (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Modifies crime of second degree child neglect to exclude actions permitting certain children to engage in independent activities.

A BILL FOR AN ACT

Relating to children engaging in independent activities; amending ORS 163.545.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 163.545 is amended to read:

163.545. (1) A person having custody or control of a child under 10 years of age commits the crime of child neglect in the second degree if, with criminal negligence, the person leaves the child unattended in or at any place for such period of time as may be likely to endanger the health or welfare of such child.

(2) A person is not criminally negligent under this section if the person permits a child under 10 years of age, who is of sufficient age and maturity to avoid harm or unreasonable risk of harm, to engage in independent activities, including:

(a) Walking, running or bicycling to or from school or nearby commercial or recreational facilities;

(b) Engaging in outdoor play;

(c) Remaining in a vehicle unattended;

(d) Remaining at home unattended; or

(e) Engaging in a similar independent activity.

[(2)] (3) Child neglect in the second degree is a Class A misdemeanor.

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

LC 1361