

Senate Bill 368

Sponsored by Senator BOQUIST (Pre-session 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

1
2 Relating to children engaging in independent activities; amending ORS 163.545.

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

4 **SECTION 1.** ORS 163.545 is amended to read:

5 163.545. (1) A person having custody or control of a child under 10 years of age commits the
6 crime of child neglect in the second degree if, with criminal negligence, the person leaves the child
7 unattended in or at any place for such period of time as may be likely to endanger the health or
8 welfare of such child.

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

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

14 **(b) Engaging in outdoor play;**

15 **(c) Remaining in a vehicle unattended;**

16 **(d) Remaining at home unattended; or**

17 **(e) Engaging in a similar independent activity.**

18 [(2)] **(3) Child neglect in the second degree is a Class A misdemeanor.**
19

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.