

SENATE BILL NO. 164

INTRODUCED BY J. FULLER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE OFFENSE OF ENDANGERING THE WELFARE OF CHILDREN; PROHIBITING CERTAIN TREATMENTS ON CHILDREN LESS THAN 16 YEARS OF AGE; ~~AND~~ AMENDING SECTION 45-5-622, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

**Section 1.** Section 45-5-622, MCA, is amended to read:

**"45-5-622. Endangering welfare of children.** (1) (a) A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if the parent, guardian, or other person knowingly endangers the child's welfare by violating a duty of care, protection, or support.

(b) 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:

(i) traveling to and from school by walking, running, bicycling, public transit, or other means;

(ii) traveling to and from nearby commercial or recreational facilities;

(iii) engaging in outdoor play;

(iv) 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;

(v) 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.

(2) Except as provided in 16-6-305, a parent or guardian or any person who is 18 years of age or

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NEW SECTION. **Section 2. Effective date.** [This act] is effective January 1, 2026.

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AMENDED