

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-176—sSB 1133

Judiciary Committee

**AN ACT CONCERNING CIRCUMSTANCES PRESENTING A
SUBSTANTIAL RISK TO A CHILD'S HEALTH OR SAFETY**

SUMMARY: This act limits the circumstances under which a parent or guardian may be found guilty of leaving a minor unattended in a public place or motor vehicle. In doing so, it also limits the circumstances under which they may be found guilty of injury or risk of injury to a minor (see BACKGROUND).

Under existing law, it is a class A misdemeanor (see [Table on Penalties](#)) for any parent, guardian, or person with custody, control, or supervision of a child under age 12 to knowingly leave the child unsupervised in a place of public accommodation or motor vehicle for a time period that presents a substantial risk to the child's health or safety.

When determining whether someone committed this violation, the act requires consideration to be given to whether the person exercised judgment that a reasonable person would use to determine whether the child was of sufficient age, maturity, and physical and mental ability to be unsupervised under the circumstances.

The act also prohibits a finding of substantial risk based solely on the person allowing a child who is of sufficient age, maturity, physical condition, and mental ability to participate in independent activities, if a reasonable person would not believe participating creates an obvious danger to the child's safety.

Under the act, "independent activities" include traveling to and from school, traveling to and from commercial or recreational facilities near the child's home, and unsupervised outdoor play.

EFFECTIVE DATE: October 1, 2023

BACKGROUND

Neglect or Risk of Injury to a Minor

By law, a person who does any act likely to impair a child's health or morals may be found guilty of the crime of neglect or risk of injury to a minor. Among other things, this includes when a person willfully or unlawfully causes or allows any child under age 16 to be placed in a situation that (1) endangers the child's life or limb, (2) injures the child's health, or (3) impairs the child's morals.

Neglect or risk of injury to a minor is a class C felony or class B felony (see [Table on Penalties](#)) depending on the child's age and the nature of the violation (CGS § 53-21).