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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend subpart 2 of part B of title IV of the Social Security Act to address child welfare involvement caused by reasonable childhood independence activities, to amend the Child Abuse Prevention and Treatment Act to promote childhood independence, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MOORE of Utah introduced the following bill; which was referred to the Committee on _____

A BILL

To amend subpart 2 of part B of title IV of the Social Security Act to address child welfare involvement caused by reasonable childhood independence activities, to amend the Child Abuse Prevention and Treatment Act to promote childhood independence, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promoting Childhood
5 Independence and Resilience Act of 2026”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) American families are being investigated
4 and criminalized under overzealous civil and criminal
5 child neglect laws for letting their children develop
6 resilience and independence. State child protective
7 services agencies are burdened by frivolous reports
8 that undermine reasonable childhood independence,
9 parental rights, and family integrity, and subject
10 children and their caregivers to the trauma of un-
11 necessary and invasive government investigations.

12 (2) In Illinois, a woman was cited for child ne-
13 glect for “inadequate supervision” after allowing her
14 11-, 9-, and 5-year-old children to play in a park
15 near their home.

16 (3) In Maryland, a couple was found respon-
17 sible for unsubstantiated child neglect after allowing
18 their 10- and 6-year-old children to play outside and
19 walk home by themselves.

20 (4) In Georgia, a mother was arrested and ac-
21 cused of reckless conduct when her 10-year-old son
22 walked a mile away from their home without telling
23 anyone.

24 (5) In South Carolina, a mother was arrested
25 for unlawful conduct towards a child for allowing her

1 9-year-old daughter to play alone at a popular, kid-
2 filled park.

3 (6) In North Carolina, a couple was charged
4 with felony involuntary manslaughter and child ne-
5 glect when a driver hit their 7-year-old son and
6 killed him while walking home from a nearby grocery
7 store. They were held on \$1,500,000 bonds each.

8 (7) In Virginia, Child Protective Services inves-
9 tigated a couple numerous times for allowing their
10 three children to play unsupervised outside, telling
11 the parents that the children need to always be su-
12 pervised, even in their own bedrooms.

13 (8) In Pennsylvania, a single mother of two was
14 placed on her state's child abuse registry after
15 tasking her 13-year-old brother to babysit her 1-
16 year-old child.

17 (9) State legislators who have supported state
18 legislation to promote childhood independence have
19 recounted being stopped in their own parenting deci-
20 sions out of fear of child protective services or police
21 intervention. Examples include Michigan State Sen-
22 ator Jeff Irwin's decision to allow a third grader to
23 walk to their nearby school, Colorado State Rep-
24 resentative Kim Ransom's decision to run into a gas
25 station to pay for gas during a snowstorm and leave

1 kids in the van, and South Carolina Senator Wes
2 Climer’s decision to allow a 5-year-old child to be
3 outside in his own yard. In hearings on state legisla-
4 tion across the country, Democrat and Republican
5 legislators remarked on growing up with much more
6 freedom to play, roam, and run errands without con-
7 stant adult management of their whereabouts and
8 activities.

9 (10) Children spend 50 percent less time in
10 unstructured outdoor activities than children in the
11 1970s. The average American child spends 4 to 7
12 minutes a day outside in unstructured play.

13 (11) Less than 25 percent of children between
14 ages 6 and 17 reach the recommended 60 minutes
15 of physical activity each day, and childhood obesity
16 has tripled since the 1970s.

17 (12) Cross-age interactions have been shown to
18 develop social skills and the ability to learn.

19 (13) The percentage of teens who meet up with
20 their friends “almost every day” has been on a
21 steady decline since the 1980s.

22 (14) Face-to-face socializing between teenagers
23 has fallen by over 45 percent from 2003 to 2022.

24 (15) More than half of Generation Z report
25 that as children they felt lonely at least once or

1 twice a month—nearly double the reported number
2 of Baby Boomers when they were young.

3 (16) According to the American Academy of
4 Pediatrics, children are spending an average of 7
5 hours a day on entertainment media, including
6 phones, electronic devices, and television.

7 (17) Excessive screen time for young children
8 increases the risk of attention and behavioral prob-
9 lems, poor sleep, anxiety, depression, aggression, and
10 hyperactivity.

11 (18) As childhood independence and free play
12 have decreased over the decades, the percentage of
13 children suffering from anxiety and depression has
14 increased. The rates of teens with “Major Depres-
15 sive Disorder” and “Generalized Anxiety Disorder”
16 rose by at least 5-fold from 1950 to 1990.

17 (19) Pediatric hospitalizations due to mental
18 health increased by 25 percent between 2009 and
19 2019.

20 (20) Early screen use has been found to lower
21 academic performance.

22 (21) The United States Department of Health
23 and Human Services has prioritized reducing the
24 amount of time that children spend on screens, cit-
25 ing it as a key health improvement priority.

1 **SEC. 3. DEFINITIONS.**

2 In this Act, the term “reasonable childhood independ-
3 ence activities” has the meaning given such term in sec-
4 tion 3 of the Child Abuse Prevention and Treatment Act
5 (42 U.S.C. 5101 note), as amended by section 6 of this
6 Act.

7 **SEC. 4. STUDY BY THE SECRETARY OF HEALTH AND**
8 **HUMAN SERVICES.**

9 (a) IN GENERAL.—Within 180 days after the date
10 of the enactment of this Act, the Secretary of Health and
11 Human Services shall conduct a study on how states and
12 state child welfare agencies can best empower parents to
13 give children opportunities to participate in reasonable
14 childhood independence activities without direct adult su-
15 pervision.

16 (b) REPORT.—Within 180 days after the date of the
17 enactment of this Act, the Secretary of Health and
18 Human Services shall transmit to each State and to the
19 Committees on Ways and Means and on Education and
20 Workforce of the House of Representatives and the Com-
21 mittees on Health, Education, Labor and Pensions and
22 on Finance of the Senate a report that—

23 (1) sets forth the recommendations of the Sec-
24 retary on how reasonable childhood independence ac-
25 tivities can promote independence and resilience in
26 American children;

1 (2) identifies community supports, public
2 awareness campaigns, toolkits, other resources sup-
3 porting childhood independence, or other best prac-
4 tices that could help parents choose to allow their
5 children to participate in reasonable childhood inde-
6 pendence activities without direct adult supervision;

7 (3) sets forth recommendations for how child
8 protective services and child welfare agencies could
9 ease parental fear and anxiety and increase the abil-
10 ity and willingness of parents to allow children to
11 participate in reasonable childhood independence ac-
12 tivities without direct supervision; and

13 (4) includes a review of whether the risk assess-
14 ment protocols or the investigation or prosecutorial
15 practices of State child welfare systems penalize,
16 threaten, or deter parents who allow their children
17 to participate in reasonable childhood independence
18 activities, and sets forth recommendations to ensure
19 that the protocols and practices support and em-
20 power parents who allow their children to participate
21 in reasonable childhood independence activities.

22 **SEC. 5. PROMOTING CHILDHOOD INDEPENDENCE.**

23 (a) **MARYLEE ALLEN PROMOTING SAFE AND STABLE**
24 **FAMILIES PROGRAM.—**

1 (1) STATE PLAN REQUIREMENT.—Section
2 432(a) of the Social Security Act (42 U.S.C.
3 629b(a)) is amended—

4 (A) in paragraph (10), by striking “and”
5 after the semicolon;

6 (B) in paragraph (11), by striking the pe-
7 riod and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(12) provides a description of the State poli-
10 cies in place, including training for employees, to ad-
11 dress child welfare reports and investigations con-
12 cerning the living arrangements or needs of a child,
13 with the goal of preventing unnecessary and trau-
14 matic investigations of parents or the separation of
15 a child from a parent or custodian of the child solely
16 due to the child participating in reasonable child-
17 hood independence activities.”.

18 (2) DEFINITION OF REASONABLE CHILDHOOD
19 INDEPENDENCE ACTIVITIES.—Section 431(a) of
20 such Act (42 U.S.C. 629a(a)) is amended by adding
21 at the end the following:

22 “(13) REASONABLE CHILDHOOD INDEPEND-
23 ENCE ACTIVITIES.—The term ‘reasonable childhood
24 independence activities’ has the meaning given such

1 term in section 3 of the Child Abuse Prevention and
2 Treatment Act (42 U.S.C. 5101 note).”.

3 (b) STEPHANIE TUBBS JONES CHILD WELFARE
4 SERVICES PROGRAM.—

5 (1) STATE PLAN REQUIREMENT.—Section
6 422(b) of such Act (42 U.S.C. 622(b)) is amended—

7 (A) in paragraph (18), by striking “and”
8 after the semicolon;

9 (B) in paragraph (19), by striking the pe-
10 riod and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(20) describe the State policies in place, in-
13 cluding training for staff of the State agency or local
14 agency responsible for furnishing child welfare serv-
15 ices, to address child welfare reports and investiga-
16 tions concerning the living arrangements or needs of
17 a child, with the goal of preventing unnecessary and
18 traumatic investigations of parents or the separation
19 of a child from a parent or custodian of the child
20 solely due to the child participating in reasonable
21 childhood independence activities.”.

22 (2) DEFINITION OF REASONABLE CHILDHOOD
23 INDEPENDENCE ACTIVITIES.—Section 422(c) of
24 such Act (42 U.S.C. 622(c)) is amended by redesignig-

1 nating paragraph (2) as paragraph (3) and inserting
2 after paragraph (1) the following:

3 “(2) REASONABLE CHILDHOOD INDEPENDENCE
4 ACTIVITIES.—The term ‘reasonable childhood inde-
5 pendence activities’ has the meaning given such term
6 in section 3 of the Child Abuse Prevention and
7 Treatment Act (42 U.S.C. 5101 note).”.

8 **SEC. 6. AMENDMENTS TO THE CHILD ABUSE PREVENTION**
9 **AND TREATMENT ACT.**

10 (a) DEFINITIONS.—Section 3 of the Child Abuse Pre-
11 vention and Treatment Act (42 U.S.C. 5101 note) is
12 amended—

13 (1) in paragraph (2), by inserting “, and does
14 not include a decision by a parent or caretaker to
15 allow a child to participate in reasonable childhood
16 independence activities, unless such a decision was
17 the result of an unreasonable disregard of a foresee-
18 able risk of serious harm” after “presents an immi-
19 nent risk of serious harm”;

20 (2) by redesignating paragraphs (6) through
21 (8) as paragraphs (7) through (9), respectively; and

22 (3) by inserting after paragraph (5) the fol-
23 lowing new paragraph:

1 “(6) REASONABLE CHILDHOOD INDEPENDENCE
2 ACTIVITIES.—The term ‘reasonable childhood inde-
3 pendence activities’—

4 “(A) means activities that—

5 “(i) are carried out by a child, alone
6 or with other children and without direct
7 supervision by an adult or older child; and

8 “(ii) a parent or caregiver reasonably
9 believes are physically and developmentally
10 appropriate for the child without such su-
11 pervision; and

12 “(B) includes—

13 “(i) playing indoors or outdoors;

14 “(ii) taking public transportation;

15 “(iii) walking or bicycling to or from
16 school or local commercial or recreational
17 facilities;

18 “(iv) running errands;

19 “(v) remaining at home or at any
20 other safe and reasonable location for a
21 reasonable period of time;

22 “(vi) babysitting younger children;

23 and

24 “(vii) remaining in a vehicle for a rea-
25 sonable period of time and in reasonable

1 conditions while a parent or caregiver is
2 temporarily away from the vehicle, includ-
3 ing to run an errand or to accompany an-
4 other child to school or daycare drop-off or
5 pick-up.”.

6 (b) GRANTS TO STATES FOR CHILD ABUSE OR NE-
7 GLECT PREVENTION AND TREATMENT PROGRAMS.—Sec-
8 tion 106(a) of the Child Abuse Prevention and Treatment
9 Act (42 U.S.C. 5106a(a)) is amended—

10 (1) in paragraph (4), by striking “response;”
11 and inserting “response, and tools and protocols
12 that ensure that risk and safety assessments account
13 for the importance of reasonable childhood independ-
14 ence activities to a child’s healthy development, and
15 make clear that allowing a child to participate in
16 reasonable childhood independence activities is not
17 child abuse or neglect and that allowing such partici-
18 pation does not justify child welfare system interven-
19 tion, including separation of any child from the
20 child’s parent or guardian;”;

21 (2) in paragraph (8), by striking “neglect;” and
22 inserting “neglect, including strategies and training
23 protocols that ensure such individuals understand
24 the importance of reasonable childhood independence
25 activities to a child’s healthy development, and un-

1 understand that allowing a child to participate in rea-
2 sonable childhood independence activities is not child
3 abuse or neglect and that allowing such participation
4 does not justify child welfare system intervention, in-
5 cluding separation of any child from the child’s par-
6 ent or guardian;” and

7 (3) in paragraph (10), by striking “response;”
8 and inserting “response, and helping the public bet-
9 ter understand that a parent or guardian allowing a
10 child to participate in reasonable childhood inde-
11 pendence activities is not child abuse or neglect and
12 that allowing such participation does not justify
13 child welfare system intervention, including separa-
14 tion of any child from the child’s parent or guard-
15 ian;”.

16 (c) ELIGIBILITY REQUIREMENTS.—Section
17 106(b)(2)(B) of the Child Abuse Prevention and Treat-
18 ment Act (42 U.S.C. 5106a(b)(2)(B)) is amended—

19 (1) in clause (xxiv), by striking “and” after the
20 semicolon; and

21 (2) by adding at the end the following:

22 “(xxvi) assurances and protections to
23 ensure that parents and legal guardians
24 may allow a child to participate in reason-
25 able childhood independence activities with-

1 out fear or threat of criminal or civil
2 charges, custody assessments or investiga-
3 tions, mandated services, child abuse reg-
4 istry, or accusations of child abuse or ne-
5 glect solely because the parent or legal
6 guardian allows their child to participate in
7 reasonable childhood independence activi-
8 ties; and

9 “(xxvii) provisions and procedures for
10 training child protective services workers,
11 caseworkers, and other employees or con-
12 tractual agents of child welfare agencies
13 about the importance of reasonable child-
14 hood independence activities to a child’s
15 healthy development, and to understand
16 that a parent or legal guardian allowing a
17 child to participate in reasonable childhood
18 independence activities is not cause to sus-
19 pect child abuse or neglect and that such
20 activities do not justify the separation of
21 any child from the child’s parent or legal
22 guardian;”.

23 **SEC. 7. EFFECTIVE DATE.**

24 (a) IN GENERAL.—The amendments made by this
25 Act shall take effect on the 1st day of the 1st fiscal year

1 beginning on or after the date of the enactment of this
2 Act, and shall apply to payments, grants, and Federal
3 funds for calendar quarters beginning on or after such
4 date.

5 (b) DELAY PERMITTED IF STATE LEGISLATION OR
6 POLICY CHANGES ARE REQUIRED.—If the Secretary of
7 Health and Human Services determines that State legisla-
8 tion (other than legislation appropriating funds) is re-
9 quired in order for any State plan approved under subpart
10 2 of part B of title IV of the Social Security Act to meet
11 the additional requirements imposed by the amendments
12 made by this Act, the plan shall not be regarded as failing
13 to meet any of the additional requirements before the 1st
14 day of the 1st calendar quarter beginning after the 1st
15 regular session of the State legislature that begins after
16 the date of the enactment of this Act. For purposes of
17 the preceding sentence, if the State has a 2-year legislative
18 session, each year of the session is deemed to be a separate
19 regular session of the State legislature. An extension of
20 a determination that the plan has failed to meet any of
21 the additional requirements shall be granted if the State
22 demonstrates its good faith efforts to enact State legisla-
23 tion, or submits a plan to enact rule and policy changes
24 as are within its lawful discretion so as to support reason-
25 able childhood independence activities, and demonstrates

1 that parents and legal guardians allowing a child to par-
2 ticipate in reasonable childhood independence activities
3 are excluded under State policy and practices from the
4 threat of criminal or civil charges, custody assessments or
5 investigations, mandated services, child abuse registry, or
6 accusations of child abuse or neglect.