



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2913

Introduced 1/20/2006, by Sen. Donne E. Trotter

SYNOPSIS AS INTRODUCED:

325 ILCS 2/10
325 ILCS 2/60

Amends the Abandoned Newborn Infant Protection Act. Provides that "newborn infant" means a child who a licensed physician reasonably believes is 7 days (instead of 72 hours) old or less at the time the child is initially relinquished to a hospital or other authorized facility. Makes conforming changes in the definition of "relinquish" and in a provision concerning a public information program by the Department of Children and Family Services. Effective immediately.

LRB094 19160 DRJ 54692 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Abandoned Newborn Infant Protection Act is
5 amended by changing Sections 10 and 60 as follows:

6 (325 ILCS 2/10)

7 Sec. 10. Definitions. In this Act:

8 "Abandon" has the same meaning as in the Abused and
9 Neglected Child Reporting Act.

10 "Abused child" has the same meaning as in the Abused and
11 Neglected Child Reporting Act.

12 "Child-placing agency" means a licensed public or private
13 agency that receives a child for the purpose of placing or
14 arranging for the placement of the child in a foster family
15 home or other facility for child care, apart from the custody
16 of the child's parents.

17 "Department" or "DCFS" means the Illinois Department of
18 Children and Family Services.

19 "Emergency medical facility" means a freestanding
20 emergency center or trauma center, as defined in the Emergency
21 Medical Services (EMS) Systems Act.

22 "Emergency medical professional" includes licensed
23 physicians, and any emergency medical technician-basic,
24 emergency medical technician-intermediate, emergency medical
25 technician-paramedic, trauma nurse specialist, and
26 pre-hospital RN, as defined in the Emergency Medical Services
27 (EMS) Systems Act.

28 "Fire station" means a fire station within the State that
29 is staffed with at least one full-time emergency medical
30 professional.

31 "Hospital" has the same meaning as in the Hospital
32 Licensing Act.

1 "Legal custody" means the relationship created by a court
2 order in the best interest of a newborn infant that imposes on
3 the infant's custodian the responsibility of physical
4 possession of the infant, the duty to protect, train, and
5 discipline the infant, and the duty to provide the infant with
6 food, shelter, education, and medical care, except as these are
7 limited by parental rights and responsibilities.

8 "Neglected child" has the same meaning as in the Abused and
9 Neglected Child Reporting Act.

10 "Newborn infant" means a child who a licensed physician
11 reasonably believes is 7 days ~~72 hours~~ old or less at the time
12 the child is initially relinquished to a hospital, police
13 station, fire station, or emergency medical facility, and who
14 is not an abused or a neglected child.

15 "Police station" means a municipal police station or a
16 county sheriff's office.

17 "Relinquish" means to bring a newborn infant, who a
18 licensed physician reasonably believes is 7 days ~~72 hours~~ old
19 or less, to a hospital, police station, fire station, or
20 emergency medical facility and to leave the infant with
21 personnel of the facility, if the person leaving the infant
22 does not express an intent to return for the infant or states
23 that he or she will not return for the infant. In the case of a
24 mother who gives birth to an infant in a hospital, the mother's
25 act of leaving that newborn infant at the hospital (i) without
26 expressing an intent to return for the infant or (ii) stating
27 that she will not return for the infant is not a
28 "relinquishment" under this Act.

29 "Temporary protective custody" means the temporary
30 placement of a newborn infant within a hospital or other
31 medical facility out of the custody of the infant's parent.

32 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
33 93-820, eff. 7-27-04.)

34 (325 ILCS 2/60)

35 Sec. 60. Department's duties. The Department must

1 implement a public information program to promote safe
2 placement alternatives for newborn infants. The public
3 information program must inform the public of the following:

4 (1) The relinquishment alternative provided for in
5 this Act, which results in the adoption of a newborn infant
6 under 7 days ~~72 hours~~ of age and which provides for the
7 parent's anonymity, if the parent so chooses.

8 (2) The alternative of adoption through a public or
9 private agency, in which the parent's identity may or may
10 not be known to the agency, but is kept anonymous from the
11 adoptive parents, if the birth parent so desires, and which
12 allows the parent to be actively involved in the child's
13 adoption plan.

14 The public information program may include, but need not be
15 limited to, the following elements:

16 (i) Educational and informational materials in print,
17 audio, video, electronic or other media.

18 (ii) Establishment of a web site.

19 (iii) Public service announcements and advertisements.

20 (iv) Establishment of toll-free telephone hotlines to
21 provide information.

22 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.