

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.