

1 An Act concerning abandoned children.

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

4 Section 1. Short title. This Act may be cited as the  
5 Safe Place for Newborns Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Children and Family  
8 Services.

9 "Fire station" means a fire station operated by the fire  
10 department of a municipality or a fire protection district.

11 "Fire station employee" means a firefighter, paramedic,  
12 or civilian employee of a fire department employed at a fire  
13 station.

14 "Hospital" means a hospital licensed under the Hospital  
15 Licensing Act or the University of Illinois Hospital Act.

16 Section 10. Abandoned children; hospital.

17 (a) A hospital must accept a newborn left with a  
18 hospital employee on the hospital's premises, provided that:

19 (1) the newborn appears to be less than one month  
20 old; and

21 (2) the newborn is left in an apparently unharmed  
22 condition.

23 (b) The hospital employee must not inquire as to the  
24 identity of the mother or the person leaving the newborn and  
25 must not call the police, provided the newborn is apparently  
26 unharmed when presented to the hospital. The hospital  
27 employee may ask the person leaving the newborn about the  
28 medical history of the mother or the newborn, but the person  
29 leaving the newborn is not required to provide any  
30 information. The hospital may provide the person leaving the

1 newborn with information about how to contact relevant social  
2 service agencies.

3 Section 15. Abandoned children; fire station.

4 (a) A fire station employee must accept a newborn left  
5 with the fire station employee on the fire station's  
6 premises, provided that:

7 (1) the newborn appears to be less than one month  
8 old; and

9 (2) the newborn is left in an apparently unharmed  
10 condition.

11 (b) The fire station employee must not inquire as to the  
12 identity of the mother or the person leaving the newborn and  
13 must not call the police, provided the newborn is apparently  
14 unharmed when presented at the fire station. The fire  
15 station employee may ask the the person leaving the newborn  
16 about the medical history of the mother or the newborn, but  
17 the person leaving the newborn is not required to provide any  
18 information. The fire station may provide the person leaving  
19 the newborn with information about how to contact relevant  
20 social service agencies.

21 (c) As soon as reasonably practicable after the person  
22 leaving the newborn leaves the fire station, a fire station  
23 employee must transport the newborn to a hospital.

24 Section 20. Reporting. Within 24 hours of receiving a  
25 newborn under this Act, the hospital must inform the local  
26 welfare agency or the Department that a newborn has been left  
27 at the hospital. The hospital must not inform the Department  
28 or the local welfare agency before the person leaving the  
29 newborn leaves the hospital. The hospital is not required to  
30 wait to inform the local welfare agency or the Department in  
31 cases where a newborn who has been abandoned under Section 15  
32 of this Act is left at the hospital by a fire station

1 employee.

2 Section 25. Immunity.

3 (a) A hospital with responsibility for performing duties  
4 under this Act, and an employee, physician, or other medical  
5 professional working at the hospital, are immune from any  
6 criminal or civil liability that might otherwise result from  
7 the performance of those duties, if the hospital and  
8 employee, physician, or other medical professional act in  
9 good faith.

10 (b) A municipality or a fire protection district and a  
11 fire station employee who performs duties under this Act are  
12 immune from any criminal or civil liability that might  
13 otherwise result from the performance of those duties, if the  
14 municipality or district and fire station employee act in  
15 good faith.

16 Section 30. Reunification; search for relatives. The  
17 Department and any social service agency or local welfare  
18 agency taking custody of a child after discharge from a  
19 hospital that accepted the child under the provisions of this  
20 Act is not required to attempt to reunify the child with the  
21 child's parents, to search for relatives of the child as a  
22 placement or permanency option, or to implement other  
23 placement requirements that give a preference to the  
24 relatives of the child, if the Department or agency does not  
25 have information as to the identity of the child, the child's  
26 mother, or the child's father.

27 Section 35. Status of child. A newborn left at a  
28 hospital or fire station under this Act is considered an  
29 abandoned child.

30 Section 40. Prosecution. A person may leave a newborn

1 with a hospital employee at a hospital or with a fire station  
2 employee at a fire station in this State without being  
3 subjected to prosecution for that act, provided that:

4 (1) the newborn, when left, was less than one month  
5 old;

6 (2) the newborn was left in an unharmed condition;  
7 and

8 (3) if the person leaving the newborn was not the  
9 newborn's mother, the person had the mother's consent to  
10 leave the newborn.

11 Section 90. The State Mandates Act is amended by adding  
12 Section 8.25 as follows:

13 (30 ILCS 805/8.25 new)

14 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6  
15 and 8 of this Act, no reimbursement by the State is required  
16 for the implementation of any mandate created by this  
17 amendatory Act of the 92nd General Assembly.