

FINAL BILL REPORT

ESSB 5236

C 331 L 02
Synopsis as Enacted

Brief Description: Ensuring the health and safety of newborn infants who have been abandoned and exempting from criminal liability persons who abandon them into the custody of a qualified person.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Long, Thibaudeau, Costa, McAuliffe, Eide, Stevens, Fairley, Prentice, Franklin, Fraser, Carlson, Spanel, Regala, Hargrove, Oke and Patterson).

Senate Committee on Human Services & Corrections
House Committee on Children & Family Services

Background: Since 1999 there have been several local incidents of newborn infants being abandoned in a variety of locations, including a convenience store, sidewalk, trash bin and restroom, putting the infant's health at grave and immediate risk. Under current state law, a person who abandons an infant can be criminally charged with abandonment of a dependent person, family abandonment or family non-support.

Summary: Parents who might otherwise abandon their newborn infant are encouraged to leave him or her in a safe place and increase the likelihood of survival. Immunity is provided from specific criminal liability for a parent who transfers a newborn to any hospital employee at a hospital emergency room or to fire station personnel at a staffed fire station. The hospital must give the parent the opportunity to provide family medical history anonymously. Child Protective Services is contacted within 24 hours. The hospital, fire station, staff, and volunteers are immune from criminal or civil liability for accepting a newborn. No changes are made to current law relating to dependency or termination of parental rights.

The Department of Social and Health Services must form a task force to determine how to implement this bill and report to the Governor and Legislature by December 1, 2002.

Votes on Final Passage:

Senate	46	0	
House	85	8	(House amended)
Senate	41	6	(Senate concurred)

Effective: April 3, 2002