

# SENATE BILL REPORT

## SB 6357

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As Reported By Senate Committee On:  
Human Services & Corrections, February 1, 2006

**Title:** An act relating to the safety of newborn children.

**Brief Description:** Authorizing additional locations for the transfer of newborn children.

**Sponsors:** Senators Kohl-Welles, Keiser, Brandland, Regala, Eide, Stevens, Oke and McAuliffe.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/24/06, 2/1/06 [DP].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, McAuliffe and Thibaudeau.

**Staff:** Shani Bauer (786-7468)

**Background:** Legislation was passed in 2001 allowing a parent to leave a newborn infant with a qualified person at a hospital emergency room or occupied fire station and avoid criminal liability for abandoning the child. That legislation was responding to several local incidents of newborn infants being abandoned in a variety of locations, putting the newborn's health at grave and immediate risk.

Under current state law, unless a person leaves a newborn at one of the locations allowed under the 2001 law within seventy-two hours of birth, a person who abandons a newborn can be criminally charged with abandonment of a dependent person, family abandonment, or family non-support.

Some concerns exist that a hospital emergency room or occupied fire station may not be available in all communities. Other locations that have been designated as safe havens by other states include physician's offices, police stations, churches, child welfare agencies, 911 responders, and child advocacy centers.

**Summary of Bill:** Parents who might otherwise abandon their newborn infants are encouraged to leave the infant in a safe place and increase the likelihood of survival. In addition to any hospital emergency room or occupied fire station, a parent may transfer a newborn to other locations designated by the legislative authority of a county qualified to receive transfer of the newborn.

If the newborn is transferred to a designated location, the parent is immune from criminal liability. Likewise, the employees, volunteers, and staff members of the designated location are immune from criminal and civil liability for accepting the newborn.

The Department of Social and Health Services is required to gather information concerning the number and medical condition of newborns transferred with immunity under the statute and the number and medical condition of abandoned newborns.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The original law was passed to ensure that babies are not abandoned and are able to get the immediate health care that they need. The concern is that rural locations may not have a hospital emergency room or fully staffed fire station. The idea is that local medical clinics will be able to provide this service. County elected officials should be able to responsibly designate additional locations as needed without including a laundry list in the statute.

**Testimony Against:** None.

**Who Testified:** PRO: Senator Kohl-Welles.