

1 AN ACT relating to abandoned infants.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 405.075 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Newborn infant" means an infant who is medically determined to be less than
6 thirty (30) days old; and

7 (b) "Participating place of worship" means a recognized place of religious
8 worship that has voluntarily agreed to perform the duty granted in this section
9 and display signage prominently on its premises regarding its participation in
10 this section and its operating hours during which staff will be present.

11 (2) A parent who places a newborn infant with an emergency medical services provider
12 or at a staffed police station, fire station, hospital, or participating place of worship
13 and expresses no intent to return for the infant shall have the right to remain
14 anonymous and not be pursued and shall not be considered to have abandoned or
15 endangered the newborn infant under KRS Chapters 508 and 530.

16 (3) (a) Any emergency medical services provider, police officer, or firefighter who
17 accepts physical custody of a newborn infant in accordance with this section
18 shall immediately arrange for the infant to be taken to the nearest hospital
19 emergency room and shall have implied consent to any and all appropriate
20 medical treatment.

21 (b) Any staff member at a participating place of worship who accepts physical
22 custody of a newborn infant in accordance with this section shall immediately
23 contact the 911 emergency telephone service as set forth in KRS 65.750 to
24 65.760, wireless enhanced 911 system as set forth in KRS 65.7621 to 65.7643,
25 or emergency medical services as set forth in KRS Chapter 311A for
26 transportation to the nearest hospital emergency room.

27 (4) By placing a newborn infant in the manner described in this section, the parent:

- 1 (a) Waives the right to notification required by subsequent court proceedings
2 conducted under KRS Chapter 620 until such time as a claim of parental
3 rights is made; and
- 4 (b) Waives legal standing to make a claim of action against any person who
5 accepts physical custody of the newborn infant.
- 6 (5) **A staffed police station, fire station, hospital, or participating place of worship**
7 **may post a sign easily seen by the public stating that: "This facility is a safe and**
8 **legal place to surrender a newborn infant who is less than 30 days old. A parent**
9 **who places a newborn infant at this facility and expresses no intent to return for**
10 **the infant shall have the right to remain anonymous and not be pursued and**
11 **shall not be considered to have abandoned or endangered their newborn infant**
12 **under KRS Chapters 508 and 530."**
- 13 **(6)** Actions taken by an emergency medical services provider, police officer, firefighter,
14 or staff member at a participating place of worship in conformity with the duty
15 granted in this section shall be immune from criminal or civil liability. Nothing in
16 this subsection shall limit liability for negligence.
- 17 ~~(7)~~ The provisions of subsection (2) of this section shall not apply when
18 indicators of child physical abuse or child neglect are present.
- 19 ~~(8)~~ KRS 211.951, 216B.190, 405.075, 620.350, and 620.355 shall be known as
20 "The Representative Thomas J. Burch Safe Infants Act."