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MEMORANDUM

To: House Committee on Child Welfare and Foster Care
From: Office of Revisor of Statutes
Date: January 23, 2023
Subject: HB 2024: Expanding legal surrender of an infant to include infant refuge bassinets.

The bill amends the newborn infant protection act, K.S.A. 38-2282, to allow for a person to surrender an infant to a qualifying refuge bassinet and be immune from civil or criminal liability for such surrender. The current newborn infant protection act allows a parent or custodian to surrender an infant under 60 days old without civil or criminal penalty, if the infant is surrendered to an employee who is on duty at a police station, sheriff's office, law enforcement center, fire station, city or county health department or medical care facility as defined by K.S.A. 65-425.

The bill defines an "Infant refuge bassinet" to mean "a device or container designed to safely accept delivery of an infant and that is:

- (A) Installed in a facility described in subsection (c)(1)(A) that is staffed 24 hours per day by an employee of such facility;
- (B) located in an area that is conspicuous and visible to employees of the facility described in subsection (c)(1)(A);
- (C) equipped with an automatic lock that would restrict access to the bassinet from the outside of the facility described in subsection (c)(1)(A) when an infant is placed inside the bassinet;
- (D) equipped with a temperature control; and
- (E) equipped with an alarm system described in subsection (c)(3) that is triggered by an infant being placed inside the bassinet.

The police station, sheriff's office, law enforcement center, fire station, city or county health department or medical care facility that installs an infant refuge bassinet shall install a dual alarm system connected to the physical location of the bassinet. Such dual alarm system shall be tested at least once per week and visually checked at least twice per day to ensure such alarm is in working order.

The bill allows a parent or custodian to surrender an infant under 60 days old without civil or criminal penalty to an infant refuge bassinet installed at a police station, sheriff's office, law enforcement center, fire station, city or county health department or medical care facility.