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CL/JA

P.L. 2023, CHAPTER 153, *approved September 1, 2023*
Assembly, No. 4110 (*First Reprint*)

1 AN ACT concerning the “New Jersey Safe Haven Infant Protection
2 Act” and amending P.L.2000, c.58.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 4 of P.L.2000, c.58 (C.30:4C-15.7) is amended to
8 read as follows:

9 4. a. If a person voluntarily delivers a child who is or appears to
10 be no more than 30 days old to, and leaves the child with an adult
11 employee at:

12 (1) a State, county, or municipal police station and does not
13 express an intent to return for the child, a State, county, or
14 municipal police officer shall take the child to the emergency
15 department of a licensed general hospital in this State and the
16 hospital shall proceed as specified in subsection b. of this section;

17 (2) a fire station of a municipal, county, fire district, or volunteer
18 fire department that is staffed 24 hours a day, seven days a week,
19 and does not express an intent to return for the child, a fire fighter
20 shall take the child to the emergency department of a licensed
21 general hospital in this State, and the hospital shall proceed as
22 specified in subsection b. of this section; or

23 (3) a public or private ambulance, first aid, or rescue squad that
24 is staffed 24 hours a day, seven days a week, and does not express
25 an intent to return for the child, an emergency medical technician,
26 or another squad member if an emergency medical technician is not
27 available, shall take the child to the emergency department of a
28 licensed general hospital in this State, and the hospital shall proceed
29 as specified in subsection b. of this section.

30 b. If a person gives birth to a child at a licensed general hospital
31 in this State and leaves the child at the hospital ¹**[and does not**
32 **express]** under circumstances that establish¹ an intent ¹**[not**¹
33 **to return for the child,** or if a person voluntarily delivers a child who is
34 or appears to be no more than 30 days old to, and leaves the child at
35 an emergency department of a licensed general hospital in this State
36 and does not express an intent to return for the child, or, if a State,
37 county, or municipal police officer, a fire fighter, or a member of a
38 public or private ambulance, first aid, or rescue squad brings a child
39 to a licensed general hospital under the circumstances set forth in
40 subsection a. of this section, the hospital shall:

41 (1) take possession of the child without a court order;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted May 11, 2023.

- 1 (2) take any action or provide any treatment necessary to protect
2 the child's physical health and safety; and
- 3 (3) no later than the first business day after taking possession of
4 the child, notify the Division of Child Protection and Permanency in
5 the Department of Children and Families that the hospital has taken
6 possession of the child.
- 7 c. The Division of Child Protection and Permanency shall
8 assume the care, custody, and control of the child immediately upon
9 receipt of notice from a licensed general hospital pursuant to
10 paragraph (3) of subsection b. of this section. The division shall
11 commence a thorough search of all listings of missing children to
12 ensure that the relinquished child has not been reported missing.
- 13 d. A child for whom the Division of Child Protection and
14 Permanency assumes care, custody, and control pursuant to
15 subsection c. of this section shall be treated as a child taken into
16 possession without a court order.
- 17 e. It shall be an affirmative defense to prosecution for
18 abandonment of a child that the parent voluntarily delivered the
19 child to and left the child with an adult employee, or voluntarily
20 arranged for another person to deliver the child to and leave the
21 child with an adult employee, at a State, county, or municipal police
22 station, a fire department, or an ambulance, first aid, or rescue
23 squad as provided in subsection a. of this section ; or gave birth to a
24 child at a licensed general hospital in this State and left the child at
25 the hospital ¹**【;】**¹ or voluntarily delivered the child to and left the
26 child at the emergency department of a licensed general hospital in
27 this State as provided in subsection b. of this section. Nothing in
28 this subsection shall be construed to create a defense to any
29 prosecution arising from any conduct other than the act of
30 delivering the child as described herein, and this subsection
31 specifically shall not constitute a defense to any prosecution arising
32 from an act of abuse or neglect committed prior to the delivery of
33 the child to a State, county, or municipal police station, a fire
34 department, or an ambulance, first aid, or rescue squad as provided
35 in subsection a. of this section or the emergency department of a
36 licensed general hospital in this State as provided in subsection b.
37 of this section.
- 38 f. (1) A State, county, or municipal police officer and the
39 governmental jurisdiction employing that officer:
- 40 (2) a fire fighter and the fire department, and governmental
41 jurisdiction as applicable, employing or utilizing the services of that
42 person;
- 43 (3) a member of an ambulance, first aid, or rescue squad and the
44 squad, and governmental jurisdiction as applicable, employing, or
45 utilizing the services of that person; or
- 46 (4) an employee of **【an emergency department of】** a licensed
47 general hospital in this State and the hospital employing that

1 person, shall incur no civil or criminal liability for any good faith
2 acts or omissions performed pursuant to this section.

3 g. Any person who voluntarily delivers a child who is or appears
4 to be no more than 30 days old to a licensed general hospital, a
5 police station, fire department, or ambulance, first aid, or rescue
6 squad in accordance with this section shall not be required to
7 disclose that person's name or other identifying information or that
8 of the child or the child's parent, if different from the person who
9 delivers the child to the hospital, police station, fire department, or
10 ambulance, first aid, or rescue squad, or provide background or
11 medical information about the child, but may voluntarily do so.

12 (cf: P.L.2015, c.82, s.1)

13

14 2. This act shall take effect immediately.

15

16

17

18

19 _____
20 Allows persons who give birth to children in licensed general
21 hospitals to surrender those children under "Safe Haven Infant
Protection Act."

ASSEMBLY, No. 4110

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 2, 2022

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Assemblymen Webber, Scharfenberger, Wirths, Space, Assemblywoman Quijano, Assemblyman Stanley, Assemblywomen Piperno, Eulner and Mosquera

SYNOPSIS

Allows persons who give birth to children in licensed general hospitals to surrender those children under “Safe Haven Infant Protection Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/30/2023)

1 AN ACT concerning the “New Jersey Safe Haven Infant Protection
2 Act” and amending P.L.2000, c.58.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 4 of P.L.2000, c.58 (C.30:4C-15.7) is amended to
8 read as follows:

9 4. a. If a person voluntarily delivers a child who is or appears to
10 be no more than 30 days old to, and leaves the child with an adult
11 employee at:

12 (1) a State, county, or municipal police station and does not
13 express an intent to return for the child, a State, county, or
14 municipal police officer shall take the child to the emergency
15 department of a licensed general hospital in this State and the
16 hospital shall proceed as specified in subsection b. of this section;

17 (2) a fire station of a municipal, county, fire district, or volunteer
18 fire department that is staffed 24 hours a day, seven days a week,
19 and does not express an intent to return for the child, a fire fighter
20 shall take the child to the emergency department of a licensed
21 general hospital in this State, and the hospital shall proceed as
22 specified in subsection b. of this section; or

23 (3) a public or private ambulance, first aid, or rescue squad that
24 is staffed 24 hours a day, seven days a week, and does not express
25 an intent to return for the child, an emergency medical technician,
26 or another squad member if an emergency medical technician is not
27 available, shall take the child to the emergency department of a
28 licensed general hospital in this State, and the hospital shall proceed
29 as specified in subsection b. of this section.

30 b. If a person gives birth to a child at a licensed general hospital
31 in this State and leaves the child at the hospital and does not express
32 an intent to return for the child, or if a person voluntarily delivers a
33 child who is or appears to be no more than 30 days old to, and
34 leaves the child at an emergency department of a licensed general
35 hospital in this State and does not express an intent to return for the
36 child, or, if a State, county, or municipal police officer, a fire
37 fighter, or a member of a public or private ambulance, first aid, or
38 rescue squad brings a child to a licensed general hospital under the
39 circumstances set forth in subsection a. of this section, the hospital
40 shall:

41 (1) take possession of the child without a court order;

42 (2) take any action or provide any treatment necessary to protect
43 the child's physical health and safety; and

44 (3) no later than the first business day after taking possession of
45 the child, notify the Division of Child Protection and Permanency in
46 the Department of Children and Families that the hospital has taken
47 possession of the child.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. The Division of Child Protection and Permanency shall
2 assume the care, custody, and control of the child immediately upon
3 receipt of notice from a licensed general hospital pursuant to
4 paragraph (3) of subsection b. of this section. The division shall
5 commence a thorough search of all listings of missing children to
6 ensure that the relinquished child has not been reported missing.

7 d. A child for whom the Division of Child Protection and
8 Permanency assumes care, custody, and control pursuant to
9 subsection c. of this section shall be treated as a child taken into
10 possession without a court order.

11 e. It shall be an affirmative defense to prosecution for
12 abandonment of a child that the parent voluntarily delivered the
13 child to and left the child with an adult employee, or voluntarily
14 arranged for another person to deliver the child to and leave the
15 child with an adult employee, at a State, county, or municipal police
16 station, a fire department, or an ambulance, first aid, or rescue
17 squad as provided in subsection a. of this section ; or gave birth to a
18 child at a licensed general hospital in this State and left the child at
19 the hospital; or voluntarily delivered the child to and left the child
20 at the emergency department of a licensed general hospital in this
21 State as provided in subsection b. of this section. Nothing in this
22 subsection shall be construed to create a defense to any prosecution
23 arising from any conduct other than the act of delivering the child
24 as described herein, and this subsection specifically shall not
25 constitute a defense to any prosecution arising from an act of abuse
26 or neglect committed prior to the delivery of the child to a State,
27 county, or municipal police station, a fire department, or an
28 ambulance, first aid, or rescue squad as provided in subsection a. of
29 this section or the emergency department of a licensed general
30 hospital in this State as provided in subsection b. of this section.

31 f. (1) A State, county, or municipal police officer and the
32 governmental jurisdiction employing that officer:

33 (2) a fire fighter and the fire department, and governmental
34 jurisdiction as applicable, employing or utilizing the services of that
35 person;

36 (3) a member of an ambulance, first aid, or rescue squad and the
37 squad, and governmental jurisdiction as applicable, employing, or
38 utilizing the services of that person; or

39 (4) an employee of **【an emergency department of】** a licensed
40 general hospital in this State and the hospital employing that
41 person, shall incur no civil or criminal liability for any good faith
42 acts or omissions performed pursuant to this section.

43 g. Any person who voluntarily delivers a child who is or appears
44 to be no more than 30 days old to a licensed general hospital, a
45 police station, fire department, or ambulance, first aid, or rescue
46 squad in accordance with this section shall not be required to
47 disclose that person's name or other identifying information or that
48 of the child or the child's parent, if different from the person who

1 delivers the child to the hospital, police station, fire department, or
2 ambulance, first aid, or rescue squad, or provide background or
3 medical information about the child, but may voluntarily do so.
4 (cf: P.L. 2015, c.82, s.1)

5

6 2. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill amends the “Safe Haven Infant Protection Act.”
12 Specifically, the bill amends section 4 of P.L.2000, c.58 (C.30:4C-
13 15.7) to stipulate that a person who gives birth to a child at a
14 licensed general hospital in this State, leaves the child at the
15 hospital, and does not express an intent to return for the child, can
16 voluntarily surrender that child under the provisions of the “Safe
17 Haven Infant Protection Act.”

18 Under current law, a person who voluntarily delivers a child who
19 is or appears to be no more than 30 days old to, and leaves the child
20 at an emergency department of a licensed general hospital in this
21 State and does not express an intent to return for the child, can
22 surrender that child under the provisions of the “Safe Haven Infant
23 Protection Act,” but does not specify that a person who delivers a
24 child at a hospital and then leaves that child at the hospital without
25 expressing an intent to return for that child can surrender the child
26 under the provisions of the act.

27 The bill also amends section 4 of P.L.2000, c.58 (C.30:4C-15.7)
28 to stipulate that it is an affirmative defense to prosecution for
29 abandonment of a child if that a person who gives birth to a child at
30 a licensed general hospital in this State, leaves the child at the
31 hospital as provided under the provisions of the “Safe Haven Infant
32 Protection Act.”

33 Section 4 of P.L.2000, c.58 (C.30:4C-15.7) is also amended to
34 clarify that any employee of a licensed general hospital of this
35 State, instead of just an employee of an emergency department of
36 the hospital as originally provided by current law, cannot incur civil
37 or criminal liability for any good faith acts or omissions performed
38 pursuant to the “Safe Haven Infant Protection Act” to reflect the
39 expansion of the act’s provisions to include the surrender of the
40 child of a person who gives birth in a hospital.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4110

STATE OF NEW JERSEY

DATED: MARCH 16, 2023

The Assembly Women and Children Committee reports favorably Assembly Bill No. 4110.

This bill amends the “Safe Haven Infant Protection Act.” Specifically, the bill amends section 4 of P.L.2000, c.58 (C.30:4C-15.7) to stipulate that a person who gives birth to a child at a licensed general hospital in this State, leaves the child at the hospital, and does not express an intent to return for the child, can voluntarily surrender that child under the provisions of the “Safe Haven Infant Protection Act.”

Under current law, a person who voluntarily delivers a child who is or appears to be no more than 30 days old to, and leaves the child at an emergency department of a licensed general hospital in this State and does not express an intent to return for the child, can surrender that child under the provisions of the “Safe Haven Infant Protection Act,” but does not specify that a person who delivers a child at a hospital and then leaves that child at the hospital without expressing an intent to return for that child can surrender the child under the provisions of the act.

The bill also amends section 4 of P.L.2000, c.58 (C.30:4C-15.7) to stipulate that it is an affirmative defense to prosecution for abandonment of a child if that a person who gives birth to a child at a licensed general hospital in this State, leaves the child at the hospital as provided under the provisions of the “Safe Haven Infant Protection Act.”

Section 4 of P.L.2000, c.58 (C.30:4C-15.7) is also amended to clarify that any employee of a licensed general hospital of this State, instead of just an employee of an emergency department of the hospital as originally provided by current law, cannot incur civil or criminal liability for any good faith acts or omissions performed pursuant to the “Safe Haven Infant Protection Act” to reflect the expansion of the act’s provisions to include the surrender of the child of a person who gives birth in a hospital.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4110

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 11, 2023

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 4110.

As amended by the committee, this bill revises the “Safe Haven Infant Protection Act,” which currently provides immunity from criminal prosecution to a person who surrenders an infant younger than 30 days old at a police station, fire station, hospital emergency department, or ambulance, first aid, or rescue squad station. Under the bill as amended, the “Safe Haven Infant Protection Act” would be expanded to apply to a person who gives birth at a hospital and leaves the child at the hospital under circumstances that establish an intent not to return for the child.

Current law provides immunity from civil and criminal prosecution for a police officer, firefighter, ambulance, first aid, or rescue squad member, or employee of a hospital emergency department who acts in good faith pursuant to the “Safe Haven Infant Protection Act.” As amended, the bill expands these protections to apply to all hospital employees, not just employees of the hospital’s emergency department.

As reported by the committee with amendments, Assembly Bill No. 4110 is identical to Senate Bill No. 2828, which was also reported by the committee on this date with amendments.

COMMITTEE AMENDMENTS:

The committee amendments revise the standard for a person who gives birth at a hospital to be covered under the “Safe Haven Infant Protection Act.” As introduced, the bill requires that the person express an intent not to return for the child. As amended, the bill requires that the person leave the child at the hospital under circumstances that establish an intent not to return for the child.

The committee amendments make a technical change involving punctuation.

SENATE, No. 2828

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 13, 2022

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Senator A.M.Bucco

SYNOPSIS

Allows persons who give birth to children in licensed general hospitals to surrender those children under “Safe Haven Infant Protection Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/11/2023)

1 AN ACT concerning the “New Jersey Safe Haven Infant Protection
2 Act” and amending P.L.2000, c.58.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 4 of P.L.2000, c.58 (C.30:4C-15.7) is amended to
8 read as follows:

9 4. a. If a person voluntarily delivers a child who is or appears to
10 be no more than 30 days old to, and leaves the child with an adult
11 employee at:

12 (1) a State, county, or municipal police station and does not
13 express an intent to return for the child, a State, county, or
14 municipal police officer shall take the child to the emergency
15 department of a licensed general hospital in this State and the
16 hospital shall proceed as specified in subsection b. of this section;

17 (2) a fire station of a municipal, county, fire district, or volunteer
18 fire department that is staffed 24 hours a day, seven days a week,
19 and does not express an intent to return for the child, a fire fighter
20 shall take the child to the emergency department of a licensed
21 general hospital in this State, and the hospital shall proceed as
22 specified in subsection b. of this section; or

23 (3) a public or private ambulance, first aid, or rescue squad that
24 is staffed 24 hours a day, seven days a week, and does not express
25 an intent to return for the child, an emergency medical technician,
26 or another squad member if an emergency medical technician is not
27 available, shall take the child to the emergency department of a
28 licensed general hospital in this State, and the hospital shall proceed
29 as specified in subsection b. of this section.

30 b. If a person gives birth to a child at a licensed general hospital
31 in this State and leaves the child at the hospital and does not express
32 an intent to return for the child, or if a person voluntarily delivers a
33 child who is or appears to be no more than 30 days old to, and
34 leaves the child at an emergency department of a licensed general
35 hospital in this State and does not express an intent to return for the
36 child, or, if a State, county, or municipal police officer, a fire
37 fighter, or a member of a public or private ambulance, first aid, or
38 rescue squad brings a child to a licensed general hospital under the
39 circumstances set forth in subsection a. of this section, the hospital
40 shall:

41 (1) take possession of the child without a court order;

42 (2) take any action or provide any treatment necessary to protect
43 the child's physical health and safety; and

44 (3) no later than the first business day after taking possession of
45 the child, notify the Division of Child Protection and Permanency in
46 the Department of Children and Families that the hospital has taken
47 possession of the child.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. The Division of Child Protection and Permanency shall
2 assume the care, custody, and control of the child immediately upon
3 receipt of notice from a licensed general hospital pursuant to
4 paragraph (3) of subsection b. of this section. The division shall
5 commence a thorough search of all listings of missing children to
6 ensure that the relinquished child has not been reported missing.

7 d. A child for whom the Division of Child Protection and
8 Permanency assumes care, custody, and control pursuant to
9 subsection c. of this section shall be treated as a child taken into
10 possession without a court order.

11 e. It shall be an affirmative defense to prosecution for
12 abandonment of a child that the parent voluntarily delivered the
13 child to and left the child with an adult employee, or voluntarily
14 arranged for another person to deliver the child to and leave the
15 child with an adult employee, at a State, county, or municipal police
16 station, a fire department, or an ambulance, first aid, or rescue
17 squad as provided in subsection a. of this section ; or gave birth to a
18 child at a licensed general hospital in this State and left the child at
19 the hospital; or voluntarily delivered the child to and left the child
20 at the emergency department of a licensed general hospital in this
21 State as provided in subsection b. of this section. Nothing in this
22 subsection shall be construed to create a defense to any prosecution
23 arising from any conduct other than the act of delivering the child
24 as described herein, and this subsection specifically shall not
25 constitute a defense to any prosecution arising from an act of abuse
26 or neglect committed prior to the delivery of the child to a State,
27 county, or municipal police station, a fire department, or an
28 ambulance, first aid, or rescue squad as provided in subsection a. of
29 this section or the emergency department of a licensed general
30 hospital in this State as provided in subsection b. of this section.

31 f. (1) A State, county, or municipal police officer and the
32 governmental jurisdiction employing that officer:

33 (2) a fire fighter and the fire department, and governmental
34 jurisdiction as applicable, employing or utilizing the services of that
35 person;

36 (3) a member of an ambulance, first aid, or rescue squad and the
37 squad, and governmental jurisdiction as applicable, employing, or
38 utilizing the services of that person; or

39 (4) an employee of **【an emergency department of】** a licensed
40 general hospital in this State and the hospital employing that
41 person, shall incur no civil or criminal liability for any good faith
42 acts or omissions performed pursuant to this section.

43 g. Any person who voluntarily delivers a child who is or appears
44 to be no more than 30 days old to a licensed general hospital, a
45 police station, fire department, or ambulance, first aid, or rescue
46 squad in accordance with this section shall not be required to
47 disclose that person's name or other identifying information or that
48 of the child or the child's parent, if different from the person who

1 delivers the child to the hospital, police station, fire department, or
2 ambulance, first aid, or rescue squad, or provide background or
3 medical information about the child, but may voluntarily do so.
4 (cf: P.L. 2015, c.82, s.1)

5

6 2. This act shall take effect immediately.

7

8

9

STATEMENT

10

11 This bill amends the “Safe Haven Infant Protection Act.”
12 Specifically, the bill amends section 4 of P.L.2000, c.58 (C.30:4C-
13 15.7) to stipulate that a person who gives birth to a child at a
14 licensed general hospital in this State, leaves the child at the
15 hospital, and does not express an intent to return for the child, can
16 voluntarily surrender that child under the provisions of the “Safe
17 Haven Infant Protection Act.”

18 Under current law, a person who voluntarily delivers a child who
19 is or appears to be no more than 30 days old to, and leaves the child
20 at an emergency department of a licensed general hospital in this
21 State and does not express an intent to return for the child, can
22 surrender that child under the provisions of the “Safe Haven Infant
23 Protection Act,” but does not specify that a person who delivers a
24 child at a hospital and then leaves that child at the hospital without
25 expressing an intent to return for that child can surrender the child
26 under the provisions of the act.

27 The bill also amends section 4 of P.L.2000, c.58 (C.30:4C-15.7)
28 to stipulate that it is an affirmative defense to prosecution for
29 abandonment of a child if that a person who gives birth to a child at
30 a licensed general hospital in this State, leaves the child at the
31 hospital as provided under the provisions of the “Safe Haven Infant
32 Protection Act.”

33 Section 4 of P.L.2000, c.58 (C.30:4C-15.7) is also amended to
34 clarify that any employee of a licensed general hospital of this
35 State, instead of just an employee of an emergency department of
36 the hospital as originally provided by current law, cannot incur civil
37 or criminal liability for any good faith acts or omissions performed
38 pursuant to the “Safe Haven Infant Protection Act” to reflect the
39 expansion of the act’s provisions to include the surrender of the
40 child of a person who gives birth in a hospital.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 2828

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 11, 2023

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2828.

As amended by the committee, this bill revises the “Safe Haven Infant Protection Act,” which currently provides immunity from criminal prosecution to a person who surrenders an infant younger than 30 days old at a police station, fire station, hospital emergency department, or ambulance, first aid, or rescue squad station. Under the bill as amended, the “Safe Haven Infant Protection Act” would be expanded to apply to a person who gives birth to a child at a hospital and leaves the child at the hospital under circumstances that establish an intent not to return for the child.

Current law provides immunity from civil and criminal prosecution for a police officer, firefighter, ambulance, first aid, or rescue squad member, or employee of a hospital emergency department who acts in good faith pursuant to the “Safe Haven Infant Protection Act.” As amended, the bill expands these protections to apply to all hospital employees, not just to employees of the hospital’s emergency department.

As reported by the committee with amendments, Senate Bill No. 2828 is identical to Assembly Bill No. 4110, which was also reported by the committee on this date with amendments.

COMMITTEE AMENDMENTS:

The committee amendments revise the standard for a person who gives birth at a hospital to be covered under the “Safe Haven Infant Protection Act.” As introduced, the bill requires that the person express an intent not to return for the child. As amended, the bill requires that the person leave the child at the hospital under circumstances that establish an intent not to return for the child.

The committee amendments make a technical change involving punctuation.

Governor Murphy Signs Bill Expanding New Jersey's Safe Haven Infant Protection Act

09/1/2023

TRENTON – Governor Phil Murphy today signed legislation to expand New Jersey's Safe Haven Infant Protection Act to clarify that people who give birth in licensed general hospital may safely surrender their infant under the act. This action comes during Safe Haven Awareness Month, which aims to raise awareness about the safe and legal options available to parents who wish to give up a baby they are unable or unwilling to care for.

The Safe Haven Infant Protection Act currently permits parents to safely and anonymously surrender an unharmed infant that is no more than 30 days old to employees of one of the following sites without facing any legal repercussions:

- police stations;
- hospital emergency departments;
- 24/7 fire stations;
- ambulance, first aid, or rescue squads providing services 24/7.

Going forward, this bill clarifies that parents will now also be able to leave their baby at a licensed general hospital after giving birth there, if the parent(s) indicates that they do not to return for their infant.

"Whatever the reason may be, some people simply aren't ready to be parents when their baby is born. In New Jersey, we offer a legal, judgement-free way for individuals to surrender their baby to professionals who will ensure the infant receives the care they need," **said Governor Murphy**. "Expanding this critical law will make it easier for residents to safely give baby up after childbirth by making entire hospitals safe surrender sites."

The bill (A-4110/S-2828) also expands the civil and criminal immunity provided to certain professionals under the act to all hospital employees – not just those working in the emergency department – so that any adult employee of a licensed general hospital can now accept a surrendered infant. Police officers, firefighters, and ambulance/first aid/rescue squad members acting in good faith to execute their responsibility under the Safe Haven Infant Protection Act will also continue to have civil and criminal immunity.

Once cleared by a medical professional, infants who have been surrendered are placed into a foster or pre-adoptive home through the New Jersey Department of Children and Families.

"Since August 2000, nearly 90 infants have been protected from harm because the Safe Haven law provides an assurance of no shame, no blame and no names when parents, or their designees, make the hard, yet loving decision to surrender a baby they cannot care for," **said Department of Children and Families' Commissioner, Christine Norbut Beyer**. "This law expands the 'Safe Haven zone' from just emergency rooms to the entire hospital, ensuring parents in maternity wards and throughout hospitals have this life-saving option available to them and can be afforded a safe delivery."

The bipartisan legislation was sponsored by Senator Kristin Corrado and Assemblywoman Mila Jasey, as well as Senator Shirley Turner and Assemblywomen Shavonda Sumter and Angela McKnight.

"Every adult and teen parent who feels unprepared to care for their newborn should be aware of the life-saving options that are available for their infant child," **said Senator Corrado**. "Giving parents more options to safely surrender their newborn after birth not only protects more infants from otherwise dangerous or deadly situations, but it also prevents parents from being prosecuted as well. I'm proud to sponsor this life-saving legislation and glad that it was signed into law today."

"For over 20 years, New Jersey's Safe Haven Law has protected both innocent newborns and parents not ready or able to take on the immense responsibility of caring for a child," **said Assemblywoman Jasey**. "Today, we are adapting our laws to provide parents with an additional option to safely and legally surrender their newborn baby without fearing prosecution."

"In many situations where a new parent feels they are unable to care for their baby the safest option for both the parent and the newborn is to surrender the child," **said Senator Turner**. "This legislation will expand the Safe Haven Infant Protection Act to allow parents to do so right at the hospital after giving birth, without any prosecution."

"It's important to ensure parents know they have options to safely surrender an unwanted infant, giving the newborn the opportunity to be placed in an appropriate, loving home," **said Assemblywoman Sumter**. "Allowing a newborn to be surrendered at the hospital where mom is located protects the health and well-being of the infant."

"Regardless of why a parent is unable to raise their infant, they deserve to be able to make the right choice for themselves while also prioritizing the health and well-being of the child. Safe Haven Law makes this possible and has seen 86 babies legally surrendered since 2000," **said Assemblywoman McKnight**. "The decision to surrender your newborn is difficult and emotional. With this law, we are giving parents another logical safe haven drop-off location to protect both them and their infant."

New Jersey was one of the first states to implement a Safe Haven law back in 2000. More information can be found at www.njsafehaven.org or by calling the Safe Haven Hotline at [877-839-2339](tel:877-839-2339).