

SESSION OF 2014

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2577

As Amended by Senate Committee of the Whole

Brief*

HB 2577, as amended, would amend the Newborn Infant Protection Act (Act) to expand the list of locations where an infant could be surrendered to include police stations, sheriff's offices, and law enforcement centers. Additionally, the bill would protect disclosure of the name or other identifiable information of a parent or custodian who voluntarily surrenders physical custody of an infant under the Act, unless there was reasonable suspicion the infant has been abused, and to protect the person or facility receiving the infant from civil and criminal liability for any action taken under the Act.

The parent or custodian would not be required to reveal personally identifiable information, but could offer information concerning the infant's familial or medical history. The bill also would clarify that the person or facility to whom an infant is delivered would be prohibited from revealing the name or other identifiable information of the person who delivered the infant, unless there was reasonable suspicion the infant has been abused.

Background

The House Committee on Corrections and Juvenile Justice introduced the bill. At the hearing before the House Committee on Children and Seniors, Representative Pauls testified in favor of the bill, stating the purpose of the Act is to prevent a child from being thrown away or abandoned when a

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

parent is unable to keep the child and to keep the identity of the parent confidential. She indicated the need to amend the Act arose from an incident in which a photograph of a mother who had left a child at a Kansas hospital was released and published by the media. There was no other testimony.

The House Committee amended the bill to add “other personally identifiable information” to the type of information a person or facility to whom a child is delivered would not be required to reveal about the person who delivered the child, unless there was reasonable suspicion of child abuse.

In the Senate Judiciary Committee, Representative Pauls testified in favor of the bill.

The Senate Committee amended the bill to replace “child” with “infant” throughout and to clarify a person or facility to whom a child is delivered “shall not reveal” the name or other identifiable information of the person who delivered the infant, rather than that entity not being required to reveal the name.

The Senate Committee of the Whole amended the bill to add police stations, sheriff’s offices, and law enforcement centers to the list of locations where an infant may be surrendered.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department for Children and Families states passage of the bill would not increase the number of children receiving foster care services and would not change state revenues or expenditures.