

Requested by Representative CATE

**PROPOSED AMENDMENTS TO
HOUSE BILL 3076**

1 On page 1 of the printed bill, delete lines 5 through 30.

2 On page 2, delete lines 1 through 10 and insert:

3 **“SECTION 1.** ORS 418.017 is amended to read:

4 “418.017. (1)(a) A parent may leave an infant at an authorized facility [*in*
5 *the physical custody of an agent, employee, physician or other medical profes-*
6 *sional working at the authorized facility*] if the infant:

7 “[*(a)*] **(A)** Is [30] **60** days of age or younger as determined to a reasonable
8 degree of medical certainty; and

9 “[*(b)*] **(B)** Has no evidence of abuse.

10 **“(b) A parent leaving an infant under this section must leave the**
11 **infant:**

12 **“(A) In the physical custody of an agent, employee, physician or**
13 **other medical professional working at the authorized facility; or**

14 **“(B) In a newborn safety device described in subsection (7) of this**
15 **section.**

16 “(2) A parent leaving an infant under this section is not required to pro-
17 vide any identifying information about the infant or the parent.

18 “(3) An agent, employee, physician or other medical professional working
19 at an authorized facility shall receive an infant [*brought to*] **left with** the
20 authorized facility under this section.

21 “(4) If acting in good faith in receiving an infant, an authorized facility

1 receiving an infant under this section and any agent, employee, physician
2 or other medical professional working at the authorized facility are immune
3 from any criminal or civil liability that otherwise might result from their
4 actions relating to receiving the infant. A city, county or other political
5 subdivision of this state that operates a sheriff's office, police station or fire
6 station that receives an infant under this section is immune from any crim-
7 inal or civil liability that otherwise might result from the actions taken by
8 its employees or agents in receiving the infant.

9 “(5) When an infant has been left at an authorized facility as provided in
10 this section:

11 “(a) The authorized facility shall notify the Department of Human Ser-
12 vices that an infant has been left at the facility as provided in subsection
13 (1) of this section no later than 24 hours after receiving the infant.

14 “(b) The infant is deemed abandoned for purposes of ORS 419B.100, and
15 the department is deemed to have protective custody of the infant under ORS
16 419B.150 from the moment the infant was left at the facility. The department
17 shall comply with the applicable provisions of ORS chapter 419B with regard
18 to the infant.

19 “(6) The authorized facility shall release the infant to the department
20 when release is appropriate considering the infant's medical condition and
21 shall provide the department with all information the facility has regarding
22 the infant.

23 **“(7)(a) An authorized facility may install a newborn safety device**
24 **if:**

25 **“(A) The authorized facility is staffed 24 hours per day by a physi-**
26 **cian or other medical professional;**

27 **“(B) The newborn safety device is installed in a conspicuous lo-**
28 **cation, in an exterior wall of the authorized facility with an exterior**
29 **door that automatically locks upon placement of the newborn inside**
30 **the newborn safety device and with an interior door that allows em-**

1 **ployees of the authorized facility to secure the surrendered newborn**
2 **from inside the building; and**

3 **“(C) The newborn safety device is equipped with a dual alarm sys-**
4 **tem.**

5 **“(b) An authorized facility that installs a newborn safety device**
6 **shall:**

7 **“(A) Be responsible for the cost of the installation and maintenance**
8 **of the newborn safety device; and**

9 **“(B) To ensure that the dual alarm system is in working order, test**
10 **the system no less than once per week and visually inspect the system**
11 **no less than two times per day.**

12 **“[(7)] (8) As used in this section:**

13 **“(a) ‘Abuse’ has the meaning given that term in ORS 419B.005.**

14 **“(b) ‘Authorized facility’ means a hospital as described in ORS 442.015,**
15 **freestanding birthing center as defined in ORS 442.015, physician’s office,**
16 **sheriff’s office, police station or fire station.**

17 **“(c) ‘Physician’ means a person licensed by the Oregon Medical Board to**
18 **practice medicine and surgery or a naturopathic physician licensed under**
19 **ORS chapter 685 to practice naturopathic medicine.”.**

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