**An Act To Amend the Safe Haven Laws**

**Be it enacted by the People of the State of Maine as follows:**

**Sec.** **1. 17-A MRSA §553, sub-§3, ¶B,** as enacted by PL 2001, c. 543, §1, is amended to read:

B. The child was delivered by the person charged under this section to a safe haven baby box as defined in Title 22, section 4018, subsection 1, paragraph A-1 or to an individual the person reasonably believed to be:

(1) A law enforcement officer;

(2) Staff at a medical emergency room;

(3) A medical services provider as defined in Title 22, section 4018; ~~or~~

(4) A hospital staff member at a hospital~~.~~; or

(5) A firefighter at a fire department facility.

**Sec.** **2. 22 MRSA §4018, sub-§1, ¶A-1** is enacted to read:

A-1. "Safe haven baby box" means a device or container to safely accept delivery of a child less than 31 days of age that is:

(1) Voluntarily installed by a medical services provider, law enforcement agency or fire department;

(2) Physically located inside a hospital, law enforcement facility or fire department facility that is staffed 24 hours a day by a medical services provider; and

(3) Located in an area that is conspicuous and visible to the employees of the hospital, law enforcement agency or fire department.

**Sec.** **3. 22 MRSA §4018, sub-§1, ¶B,** as enacted by PL 2001, c. 543, §2, is amended to read:

B. "Safe haven provider" means:

(1) A law enforcement officer;

(2) Staff at a medical emergency room;

(3) A medical services provider; ~~or~~

(4) A hospital staff member at a hospital~~.~~;

(5) A firefighter; or

(6) A person staffing a facility with a safe haven baby box.

**SUMMARY**

This bill amends the safe haven laws regarding abandoned children by including a safe haven baby box to the list of safe havens that a person may deliver a newborn child to under the Child and Family Services and Child Protection Act and to serve as an affirmative defense to the criminal offense of abandonment of a child. A safe haven baby box is a device or container that can safely accept delivery of a newborn child that is located in a hospital, law enforcement facility or fire department facility that is staffed 24 hours a day by a medical services provider.