

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Abandoned Newborn Infant Protection Act is
5 amended by changing Section 10 as follows:

6 (325 ILCS 2/10)

7 Sec. 10. Definitions. In this Act:

8 "Abandon" has the same meaning as in the Abused and
9 Neglected Child Reporting Act.

10 "Abused child" has the same meaning as in the Abused and
11 Neglected Child Reporting Act.

12 "Child-placing agency" means a licensed public or private
13 agency that receives a child for the purpose of placing or
14 arranging for the placement of the child in a foster family
15 home or other facility for child care, apart from the custody
16 of the child's parents.

17 "Department" or "DCFS" means the Illinois Department of
18 Children and Family Services.

19 "Emergency medical facility" means a freestanding
20 emergency center or trauma center, as defined in the Emergency
21 Medical Services (EMS) Systems Act.

22 "Emergency medical professional" includes licensed
23 physicians, and any emergency medical technician-basic,

1 emergency medical technician-intermediate, emergency medical
2 technician-paramedic, trauma nurse specialist, and
3 pre-hospital RN, as defined in the Emergency Medical Services
4 (EMS) Systems Act.

5 "Fire station" means a fire station within the State with
6 at least one staff person ~~that is staffed with at least one~~
7 ~~full-time emergency medical professional.~~

8 "Hospital" has the same meaning as in the Hospital
9 Licensing Act.

10 "Legal custody" means the relationship created by a court
11 order in the best interest of a newborn infant that imposes on
12 the infant's custodian the responsibility of physical
13 possession of the infant, the duty to protect, train, and
14 discipline the infant, and the duty to provide the infant with
15 food, shelter, education, and medical care, except as these are
16 limited by parental rights and responsibilities.

17 "Neglected child" has the same meaning as in the Abused and
18 Neglected Child Reporting Act.

19 "Newborn infant" means a child who a licensed physician
20 reasonably believes is 30 ~~7~~ days old or less at the time the
21 child is initially relinquished to a hospital, police station,
22 fire station, or emergency medical facility, and who is not an
23 abused or a neglected child.

24 "Police station" means a municipal police station or a
25 county sheriff's office.

26 "Relinquish" means to bring a newborn infant, who a

1 licensed physician reasonably believes is 30 7 days old or
2 less, to a hospital, police station, fire station, or emergency
3 medical facility and to leave the infant with personnel of the
4 facility, if the person leaving the infant does not express an
5 intent to return for the infant or states that he or she will
6 not return for the infant. In the case of a mother who gives
7 birth to an infant in a hospital, the mother's act of leaving
8 that newborn infant at the hospital (i) without expressing an
9 intent to return for the infant or (ii) stating that she will
10 not return for the infant is not a "relinquishment" under this
11 Act.

12 "Temporary protective custody" means the temporary
13 placement of a newborn infant within a hospital or other
14 medical facility out of the custody of the infant's parent.

15 (Source: P.A. 93-820, eff. 7-27-04; 94-941, eff. 6-26-06.)