

HOUSE BILL 1394

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8lr2797
CF SB 531

By: **Delegates Valderrama, V. Turner, and Walker**

Introduced and read first time: February 8, 2008

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 15, 2008

CHAPTER _____

1 AN ACT concerning

2 **Courts – Immunity from Liability – Leaving Unharmed Newborn – Time**
3 **Period**

4 FOR the purpose of altering the time period within which a person may leave an
5 unharmed newborn with a responsible adult and be immune from civil liability
6 or criminal prosecution for the act; and generally relating to immunity from
7 liability for leaving an unharmed newborn with a responsible adult.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 5–641(a)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2007 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Courts and Judicial Proceedings**

16 5–641.

17 (a) (1) A person who leaves an unharmed newborn with a responsible
18 adult within [3] 10 days after the birth of the newborn, as determined within a
19 reasonable degree of medical certainty, and does not express an intent to return for
20 the newborn shall be immune from civil liability or criminal prosecution for the act.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) If the person leaving a newborn under this subsection is not the
2 mother of the newborn, the person shall have the approval of the mother to do so.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.