

STAND. COM. REP. NO. **2231**

Honolulu, Hawaii

**Feb. 16** , 2006

RE: S.B. No. 3200  
S.D. 1

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 3200 entitled:

"A BILL FOR AN ACT RELATING TO CHILD PROTECTION,"

begs leave to report as follows:

The purpose of this measure is to provide immunity from prosecution to a parent for leaving an unharmed newborn at a hospital, fire department, or police station within seventy-two hours of its birth, and immunity from liability to the personnel of a hospital, fire department, or police station receiving the newborn.

Most states have enacted a safe haven law to protect newborns whose parents might otherwise abandon them in unsafe or dangerous locations. A similar measure passed during the regular session of 2003 was vetoed by the governor, who expressed reservations about the measure, citing concerns that the lack of information regarding family and medical history of newborns left at safe haven locations could jeopardize the child's health and make it exceedingly difficult for the infant's extended family to learn of the baby's whereabouts.

Your Committee finds that this measure addresses the governor's concerns about the lack of medical history by requiring the parent to provide written information about known family medical history before being allowed to leave the newborn at a hospital, fire department, or police station, and requiring the personnel at these safe haven locations to inquire into this

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information before accepting a newborn from the parent. Your Committee further finds that certain of the factors in the definition of "unharmmed condition" may be impossible for personnel at the designated safe haven locations to determine within the available time.

Accordingly, your Committee has amended this measure by deleting paragraphs (2) through (5) of the definition of "unharmmed condition." Your Committee also has amended this measure to address the governor's concerns regarding a child's family, to require the hospital, fire department, or police station personnel to request the name of an infant's parents prior to accepting a newborn under the safe haven law.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3200, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
SUZANNE CHUN OAKLAND, Chair



