

# HOUSE BILL NO. 5530

February 20, 2020, Introduced by Rep. Reilly and referred to the Committee on Health Policy.

A bill to amend 1939 PA 288, entitled  
"Probate code of 1939,"  
by amending section 1 of chapter XII (MCL 712.1), as amended by  
2006 PA 488.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 CHAPTER XII
- 2 Sec. 1. (1) This chapter shall be known and may be cited as
- 3 the "safe delivery of newborns law".
- 4 (2) As used in this chapter:
- 5 (a) "Child placing agency" means that term as defined in



1 section 1 of 1973 PA 116, MCL 722.111.

2 (b) "Court" means the family division of circuit court.

3 (c) "Department" means the department of **health and** human  
4 services.

5 (d) "DNA identification profile" and "DNA identification  
6 profiling" mean those terms as defined in section 1 of the  
7 paternity act, 1956 PA 205, MCL 722.711.

8 (e) "Domestic violence" means that term as defined in section  
9 1 of 1978 PA 389, MCL 400.1501.

10 (f) "Emergency service provider" means a uniformed or  
11 otherwise identified employee or contractor of a fire department,  
12 hospital, or police station when that individual is inside the  
13 premises and on duty. Emergency service provider also includes a  
14 paramedic or an emergency medical technician when either of those  
15 individuals is responding to a 9-1-1 emergency call.

16 (g) "Fire department" means an organized fire department as  
17 that term is defined in section 1 of the fire prevention code, 1941  
18 PA 207, MCL 29.1.

19 (h) "Gross negligence" means conduct so reckless as to  
20 demonstrate a substantial lack of concern for whether an injury  
21 results.

22 (i) "Hospital" means a hospital that is licensed under article  
23 17 of the public health code, 1978 PA 368, MCL 333.20101 to  
24 ~~333.22260~~.**333.21925**.

25 (j) "Lawyer-guardian ad litem" means an attorney appointed  
26 under section 2 of this chapter. A lawyer-guardian ad litem  
27 represents the newborn, and has the powers and duties, as set forth  
28 in section 17d of chapter XIIA.

29 (k) "Newborn" means a child who a physician reasonably



1 believes to be not more than 72 hours old.

2 (l) "Police station" means that term as defined in section 43  
3 of the Michigan vehicle code, 1949 PA 300, MCL 257.43.

4 (m) "Preplacement assessment" means an assessment of a  
5 prospective adoptive parent as described in section 23f of chapter  
6 X.

7 (n) "Surrender" means to leave a newborn with an emergency  
8 service provider without expressing an intent to return for the  
9 newborn.

10 Enacting section 1. This amendatory act takes effect 90 days  
11 after the date it is enacted into law.

12 Enacting section 2. This amendatory act does not take effect  
13 unless Senate Bill No. \_\_\_\_ or House Bill No. 5510 (request no.  
14 04667'19) of the 100th Legislature is enacted into law.

