



General Assembly

Substitute Bill No. 218

February Session, 2010

* _____SB00218HS_____032210_____*

AN ACT CONCERNING SAFE HAVEN CASES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-59 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) Not more than twenty-four hours after taking physical custody
4 of the infant the [designated] employee designated pursuant to section
5 17a-57 shall notify, in accordance with the provisions of sections 17a-
6 101a to 17a-101d, inclusive, the Department of Children and Families
7 of such custody.

8 (b) The Commissioner of Children and Families shall assume the
9 care and control of the infant immediately upon receipt of notice under
10 subsection (a) of this section. [and] Any infant in the care and control
11 of the commissioner under the provisions of this section shall be
12 considered to be in the custody of the department and the department
13 shall take any action authorized under state law to achieve safety and
14 permanency for the infant, including institution of legal proceedings
15 for guardianship or termination of parental rights. The department
16 shall provide notification of such legal proceedings to any parent of an
17 infant when the identity of the parent is known to the department.

18 [(c) Any infant in the care and control of the commissioner under
19 the provisions of this section shall be considered to be in the custody of

20 the department.]

21 Sec. 2. Section 17a-60 of the general statutes is repealed and the
22 following is substituted in lieu thereof (*Effective July 1, 2010*):

23 (a) If a person claiming to be a parent or agent of an infant [left
24 with] surrendered to a designated employee under section 17a-58, as
25 amended by this act, submits a request to the Commissioner of
26 Children and Families for reunification with the infant, the
27 commissioner may identify, contact and investigate such person or
28 agent to determine if such reunification is appropriate or if the
29 parental rights of the parent should be terminated.

30 (b) Information concerning a parent or agent, or an infant [left with]
31 surrendered to a designated employee, shall [be confidential] not be
32 disclosed by the designated employee, if so requested by the parent or
33 agent, except that notwithstanding any provision of the general
34 statutes, such employee shall (1) provide to the Commissioner of
35 Children and Families all medical history information provided by the
36 parent, and (2) provide to the Commissioner of Public Health, the
37 name and date of birth of the infant if the infant's birth has been
38 registered in the state vital records system prior to the surrender of the
39 infant, for the sole purpose of sealing the infant's original birth record.
40 The infant's name and date of birth shall not be disclosed on the report
41 of a foundling child described in section 7-59.

42 (c) Possession of a bracelet linking the parent or agent to an infant
43 [left with] surrendered to a designated employee if parental rights
44 have not been terminated creates a presumption the parent or [person]
45 agent has standing to participate in a custody hearing for the infant
46 under chapter 319a [and] but does not create a presumption of
47 maternity, paternity or custody.

48 Sec. 3. Section 17a-58 of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective July 1, 2010*):

50 (a) An employee designated pursuant to section 17a-57 shall take

51 physical custody of any infant thirty days or younger if the parent or
 52 lawful agent of the parent voluntarily surrenders physical custody of
 53 the infant to such designated employee unless the parent or agent
 54 clearly expresses an intent to return for the infant.

55 (b) If the mother of an infant wishes to voluntarily surrender
 56 physical custody of the infant while the mother is in the hospital to
 57 give birth to the infant, the mother shall provide notice that she wishes
 58 to surrender physical custody of the infant, in writing, on a form
 59 prescribed by the Commissioner of Children and Families, and deliver
 60 such notice to any hospital employee. Upon receipt of such notice, the
 61 hospital employee shall notify the designated employee pursuant to
 62 section 17a-57, who shall immediately take physical custody of the
 63 infant.

64 [(b)] (c) The designated employee may request the parent or agent
 65 to provide (1) the name of the parent or agent, [and] (2) information on
 66 the medical history of the infant and parents, and (3) the infant's name
 67 and date of birth if the infant's birth has been registered in the state
 68 vital records system prior to the surrender of the infant. [The]
 69 Notwithstanding such a request from the designated employee, the
 70 parent or agent is not required to provide such name or information.
 71 The designated employee may provide the parent or agent with a
 72 numbered identification bracelet to link the parent or agent to the
 73 infant. The bracelet shall be used for identification only and shall not
 74 be construed to authorize the person who possesses the bracelet to take
 75 custody of the infant on demand. The designated employee shall
 76 provide the parent or agent with a pamphlet describing the process
 77 established under sections 17a-57 to 17a-61, inclusive, as amended by
 78 this act, 53-21 and 53-23.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	17a-59
Sec. 2	July 1, 2010	17a-60
Sec. 3	July 1, 2010	17a-58

HS *Joint Favorable Subst.*