

# STATE OF NEW YORK

7904

2025-2026 Regular Sessions

## IN SENATE

May 13, 2025

Introduced by Sen. CHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Children and Families

AN ACT to amend the social services law and the penal law, in relation to establishing safe haven baby boxes as authorized locations for the lawful and anonymous surrender of infants

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "safe haven baby box act".

3 § 2. Section 372-g of the social services law, as added by chapter 156  
4 of the laws of 2000, is amended to read as follows:

5 § 372-g. Abandoned infant protection program. The office of children  
6 and family services shall develop and implement a public information  
7 program to inform the general public of the provisions of the abandoned  
8 infant protection act. The program may include but not be limited to the  
9 following elements:

10 1. educational and informational materials in print, audio, video,  
11 electronic, or other media;

12 2. public service announcements and advertisements; [~~and~~]

13 3. establishment of toll-free telephone hotlines to provide informa-  
14 tion[~~-~~]; and

15 4. for the purposes of this section, the term "safe haven baby box"  
16 shall mean a secure, climate-controlled device installed at a facility  
17 staffed twenty-four hours per day, seven days per week, including but  
18 not limited to hospitals, police stations, fire stations, and emergency  
19 medical service facilities. Such device shall:

20 (a) lock automatically upon placement of an infant;

21 (b) notify facility personnel immediately upon use via alarm or alert  
22 system;

23 (c) be accessible only from the interior side of the facility by  
24 authorized staff;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[~~-~~] is old law to be omitted.

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1 (d) include interior cushioning and temperature regulation to protect  
2 the infant; and

3 (e) be approved by and installed in accordance with regulations  
4 promulgated by the office of children and family services.

5 § 3. Section 260.15 of the penal law, as amended by chapter 447 of the  
6 laws of 2010, is amended to read as follows:

7 § 260.15 Endangering the welfare of a child; defense.

8 1. In any prosecution for endangering the welfare of a child, pursuant  
9 to section 260.10 of this article, based upon an alleged failure or  
10 refusal to provide proper medical care or treatment to an ill child, it  
11 is an affirmative defense that the defendant (a) is a parent, guardian  
12 or other person legally charged with the care or custody of such child;  
13 and (b) is a member or adherent of an organized church or religious  
14 group the tenets of which prescribe prayer as the principal treatment  
15 for illness; and (c) treated or caused such ill child to be treated in  
16 accordance with such tenets.

17 2. A person is not guilty of the crime of endangering the welfare of a  
18 child pursuant to section 260.10 of this article based solely upon the  
19 fact that such person delivers a child not more than thirty days old to:

20 (a) a safe haven as defined under section three hundred seventy-two-g  
21 of the social services law, including placement of the child into a safe  
22 haven baby box as defined in subdivision four of such section, provided  
23 the box is installed at a facility that is continuously staffed and  
24 authorized by the office of children and family services; and

25 (b) notifies an appropriate person of the location of the child if the  
26 child is not directly handed to a person.

27 § 4. The office of children and family services shall promulgate any  
28 rules and regulations necessary to implement the provisions of this act,  
29 including minimum safety standards, training for staff, and public  
30 awareness campaigns.

31 § 5. This act shall take effect immediately.