STATE OF NEW YORK

8649

2025-2026 Regular Sessions

IN ASSEMBLY

May 22, 2025

Introduced by M. of A. WILLIAMS -- read once and referred 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:

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

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

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

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

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

3. establishment of toll-free telephone hotlines to provide information[~~.~~]*; and*

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

(a) lock automatically upon placement of an infant;

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

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

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

LBD13009-01-5

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

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

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

§ 260.15 Endangering the welfare of a child; defense.

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

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

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

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

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

§ 5. This act shall take effect immediately.