



## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 474 (Formerly HSB 195)	House Committee:	<b>PASSED</b> on February 23 (12-7)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Lohse	Senate Floor:	
Date:	March 21, 2023	Governor:	
Staff:	Amanda Wille (1-5230)		

### Newborn Safe Haven- Adoption Agencies

- HF 474 allows a newborn infant to be given to an adoption service provider under the safe haven act. The adoption service provider shall follow the same procedures already in code.
- The adoption service provider can then place the child in a private family home.

### Section by Section Analysis

#### Section 1- Juvenile Justice- Definitions (232.2)

Clarifies definition of a newborn infant

#### Section 2- Juvenile Justice- Temporary Custody of a Child Pursuant to Ex Parte Court Order (232.78)

If the department requests an ex parte order from the juvenile court for transfer of custody of a newborn infant, one of the following shall apply:

- If custody was not initially relinquished to an adoption service provider, the department shall request custody be transferred to the department
- If custody was initially relinquished to an adoption service provider the department shall request custody be transferred to the adoption service provider.

#### Sections 3, 4, 5

Conforming changes

#### Section 6- Newborn Infant Custody Release Procedures- Newborn Safe Haven Act- Definitions (233.1)

Adoption service provider is a state licensed not for profit private agency.

#### Section 7- Newborn Infant Custody Release Procedures- Newborn Infant Custody Release Procedures (233.2)

Allows a parent to relinquish their child to an adoption service provider. This does not change the current release procedure it just adds an adoption service provider.

The adoption service provider shall transport the newborn infant to the nearest health facility for evaluation.

If a newborn is given up to the adoption service provider, HHS shall ask the court for an ex parte order giving custody of the newborn to the adoption service provider.

The adoption service provider can then place the newborn in a private family home either temporarily or permanently.

Sections 8 and 9

Conforming changes

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## **Amendment Analysis**

**H-1154- Lohse**

Technical changes clarifying the role of the adoption service provider vs the department. Allows the adoption service provider to request the ex parte order from the courts