

34-LS0085\T
Bergerud
4/30/25

CS FOR SENATE BILL NO. 9()
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS MYERS, Giessel, Hughes, Cronk

A BILL
FOR AN ACT ENTITLED

"An Act relating to the surrender of infants; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 47.10.013(c) is amended to read:

(c) A parent who is immune from prosecution under AS 11.81.500 and chooses to surrender an infant shall surrender the infant in the manner described in this subsection. Surrendering the infant in the manner described in this subsection constitutes abandonment for purposes of this chapter. An infant's parent is considered to have abandoned the infant safely, and, notwithstanding AS 25.20.030 and AS 47.10.120, the parent's legal duty to support the infant is extinguished if

(1) the parent, without expressing an intent to return for the infant, leaves the infant

(A) in the physical custody of a person who
(i) [IS A (A) PERSON] the parent reasonably believes would provide for the health and safety of the infant and who would act appropriately to care for the infant;

1 (ii) is a [(B)] peace officer, community health aide,
2 physician, or hospital employee; or

3 (iii) [(C) PERSON WHO] is employed by or is a
4 volunteer for a fire department or emergency medical service, if the
5 person is acting within the scope of the person's fire department or
6 emergency medical service duties; or

7 (B) in an infant safety device that

8 (i) is physically affixed to an exterior wall or located
9 inside of a hospital, emergency department, freestanding birth
10 center as defined in AS 47.32.900, health facility as defined in
11 AS 47.07.900 that is owned or managed by a tribal health
12 organization as defined in AS 17.30.200(d), office of a private
13 physician whether in individual or group practice, rural health
14 clinic as defined in AS 47.32.900, municipal police department,
15 state trooper post, or fire department; and

16 (ii) meets the requirements of (h) of this section; and

17 (2) there is no evidence the infant has been physically injured before
18 abandonment.

19 * **Sec. 2.** AS 47.10.013(d) is amended to read:

20 (d) A person to whom an infant is surrendered in the manner described in
21 (c)(1)(A)(ii) or (iii) [(c)(1)(B) OR (C)] of this section shall

22 (1) act appropriately to care for the infant;

23 (2) inform the parent that the parent may, but is not required to, answer
24 any questions regarding the name, identity, and medical history of the infant and
25 parents of the infant unless the parent chooses to contact the department under (3) of
26 this subsection;

27 (3) ask the parent if the parent wishes to relinquish the parent's
28 parental rights and release the infant for adoption; if the answer is affirmative, the
29 person shall contact the department so that the parent can discuss that option with the
30 department;

31 (4) immediately notify the nearest office of the department that the

1 infant has been surrendered in the manner described in (c)(1)(A)(ii) or (iii) [(c)] of this
2 section.

3 * **Sec. 3.** AS 47.10.013(e) is amended to read:

4 (e) An individual, agency, designated facility, or entity that receives an infant
5 abandoned safely under (c) of this section is not liable for civil damages for failure to
6 discharge the duties listed in (d) of this section.

7 * **Sec. 4.** AS 47.10.013 is amended by adding new subsections to read:

8 (g) A designated facility that receives an infant surrendered under (c)(1)(B) of
9 this section shall immediately notify the nearest office of the department that the infant
10 has been surrendered under (c)(1)(B) of this section.

11 (h) An infant safety device must be
12 (1) located in an area that is conspicuous and visible to employees of a
13 designated facility;

14 (2) climate-controlled;

15 (3) clearly marked with appropriate signage that includes
16 (A) the telephone number for a service that provides support
17 for parents in crisis;

18 (B) a list of alternatives to using the infant safety device;

19 (C) a statement that placing an infant into the infant safety
20 device constitutes abandonment and may lead to the involuntary termination of
21 the parent's rights to the child and the release of the child for adoption or other
22 permanent placement;

23 (4) equipped with

24 (A) a system that automatically transmits a request to the 911
25 emergency system for the immediate dispatch of an emergency medical
26 services provider to the location of the infant safety device when the infant
27 safety device is opened;

28 (B) a video surveillance system that allows employees of the
29 designated facility to monitor the interior of the infant safety device 24 hours a
30 day; and

31 (C) an automated lock that secures the infant inside the infant

1 safety device after deposit;

2 (5) installed, operated, and maintained according to the manufacturer's
3 guidelines and department regulations; and

4 (6) inspected upon installation and annually by the manufacturer or
5 manufacture's designee, and inspected monthly by the designated facility in which it is
6 installed; inspections under this paragraph must be logged by the designated facility
7 and must include testing of the device's alarms, cameras, climate control system, and
8 locks.

9 (i) The department may provide training to emergency medical service
10 providers, 911 operators, hospital staff, firefighters, law enforcement officers, and
11 employees of a designated facility in how to implement and comply with the
12 requirements for the surrender of an infant as described in this section.

13 (j) If the department determines that an infant abandoned under (c)(1)(B) of
14 this section is an Indian child, the department shall immediately contact the Indian
15 child's tribe.

16 (k) In this section, "designated facility" means a facility described in
17 (c)(1)(B)(i) of this section that has an infant safety device located at the facility.

18 * **Sec. 5.** This Act takes effect July 1, 2026.