

1 enforcement officer or a department of social services worker if there are reasonable
2 grounds to believe that the juvenile is abused, neglected, or dependent and that the
3 juvenile would be injured or could not be taken into custody if it were first necessary to
4 obtain a court order. If a department of social services worker takes a juvenile into
5 temporary custody under this section, the worker may arrange for the placement, care,
6 supervision, and transportation of the juvenile.

7 (b) The following individuals shall, without a court order, take into temporary
8 custody an infant under 15 days of age that is voluntarily delivered to the individual by
9 the infant's parent who does not express an intent to return for the infant:

10 (1) A health care provider, as defined under G.S. 90-21.11, who is on duty
11 or at a hospital or at a local or district health department.

12 (2) A law enforcement officer who is on duty or at a police station or
13 sheriff's department.

14 (3) A social services worker who is on duty or at a local department of
15 social services.

16 (4) An emergency medical technician who is on duty or at a fire station.

17 (c) An individual who takes an infant into temporary custody under subsection
18 (b) of this section shall perform any act necessary to protect the physical health and
19 well-being of the infant and shall immediately notify the department of social services
20 or a local law enforcement agency. Any individual who takes an infant into temporary
21 custody under subsection (b) of this section may inquire as to the parents' identities and
22 as to any relevant medical history, but the parent is not required to provide this
23 information.

24 (d) Any adult may, without a court order, take into temporary custody an infant
25 under 15 days of age that is voluntarily delivered to the individual by the infant's parent
26 who does not express an intent to return for the infant. Any individual who takes an
27 infant into temporary custody under this section shall perform any act necessary to
28 protect the physical health and well-being of the infant and shall immediately notify the
29 department of social services or a local law enforcement agency. An individual who
30 takes an infant into temporary custody under this subsection may inquire as to the
31 parents' identities and as to any relevant medical history, but the parent is not required
32 to provide this information.

33 (e) An individual who takes an infant into temporary custody under subsection
34 (b) or (d) of this section is immune from any civil or criminal liability that might
35 otherwise be incurred or imposed as a result of any omission or action taken pursuant to
36 the requirements of subsection (b), (c), or (d) of this section so long as that individual
37 was acting in good faith. The immunity established by this subsection does not extend
38 to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be
39 actionable."

40 **SECTION 3.** G.S. 7B-1111(a)(7) reads as rewritten:

41 "(a) The court may terminate the parental rights upon a finding of one or more of
42 the following:

43 ...

1 (7) The parent has willfully abandoned the juvenile for at least six
2 consecutive months immediately preceding the filing of the petition or
3 ~~motion~~ motion, or the parent has voluntarily abandoned an infant
4 pursuant to G.S. 7B-500 for at least 60 consecutive days immediately
5 preceding the filing of the petition or motion."

6 **SECTION 4.** G.S. 14-318.2 is amended by adding a new subsection to read:

7 "(c) A parent who abandons an infant less than 15 days of age pursuant to G.S.
8 14-322.3 shall not be prosecuted under this section for any acts or omissions related to
9 the care of that infant."

10 **SECTION 5.** G.S. 14-318.4 is amended by adding a new subsection to read:

11 "(c) Abandonment of an infant less than 15 days of age pursuant to G.S. 14-322.3
12 may be treated as a mitigating factor in sentencing for a conviction under this section
13 involving that infant."

14 **SECTION 6.** Article 40 of Chapter 14 of the General Statutes is amended by
15 adding a new section to read:

16 "**§ 14-322.3. Abandonment of an infant under 15 days of age.**

17 When a parent abandons an infant less than 15 days of age by voluntarily delivering
18 the infant as provided in G.S. 7B-500(b) or G.S. 7B-500(d) and does not express an
19 intent to return for the infant, that parent shall not be prosecuted under G.S. 14-322 or
20 G.S. 14-322.1."

21 **SECTION 7.** This act is effective when it becomes law.