

Colorado Legislative Council Staff
NO FISCAL IMPACT

Drafting Number: LLS 00-0788	Date: January 25, 2000
Prime Sponsor(s): Sen. Tanner Rep. Berry	Bill Status: Senate Judiciary
	Fiscal Analyst: Janis Baron (303-866-3523)

TITLE: CONCERNING CERTAIN ABANDONED CHILDREN.

Summary of Assessment

The bill creates an affirmative defense to the criminal charge of child abuse, by allowing a defendant accused of permitting a child to be unreasonably placed in a situation that poses a threat of injury to the child's life or health if:

- the defendant voluntarily delivered the child to a firefighter or hospital staff member; and
- the child was 30 days old or younger at the time of abandonment.

The bill places a duty upon firefighters and hospital staff members to take temporary physical custody of a child, 30 days old or younger, who is voluntarily delivered to them by a person who does not express an intent to return for the child. The bill places requirements on the firefighter or hospital staff member who takes temporary physical custody of such child, and absolves the firefighter or hospital staff member of any civil or criminal liability for any good faith actions or omissions performed to protect, preserve, or aid the physical health or safety of the child during the temporary physical custody. The bill is effective upon signature of the Governor.

The bill is assessed as having no fiscal impact. The bill will not increase workload at either the state or local level. The bill will not increase the courts' workload.

Departments Contacted

Human Services Judicial