

GENERAL ASSEMBLY OF NORTH CAROLINA  
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SENATE BILL DRS35048-NB-9

Short Title: Newborn Safety Devices. (Public)

Sponsors: Senators Hanig, Ford, and Alexander (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW NEWBORN SAFETY DEVICE INSTALLATION IN QUALIFIED  
3 ESTABLISHMENTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) G.S. 7B-521 reads as rewritten:

6 "**§ 7B-521. Persons to whom infant may be surrendered.**

7 The following individuals shall, without a court order, take into temporary custody an infant  
8 reasonably believed to be not more than 30 days of age that is (i) placed in a newborn safety  
9 device in compliance with G.S. 7B-521A or (ii) voluntarily delivered to the individual by the  
10 infant's parent who does not express an intent to return for the infant:

- 11 (1) A health care provider, as defined under G.S. 90-21.11, who is on duty or at a  
12 hospital or at a local or district health department or at a nonprofit community  
13 health center.
- 14 (2) A first responder who is on duty, including a law enforcement officer, a  
15 certified emergency medical services worker, or a firefighter.
- 16 (3) A social services worker who is on duty or at a local department of social  
17 services."

18 SECTION 1.(b) Article 5A of Subchapter I of Chapter 7B of the General Statutes is  
19 amended by adding a new section to read:

20 "**§ 7B-521A. Newborn safety device.**

21 (a) A qualified establishment may install a newborn safety device that complies with this  
22 Article. Each newborn safety device shall have a temperature-controlled interior, shall be  
23 properly ventilated to ensure the safety of infants, and shall be physically attached to the exterior  
24 of the qualified establishment in an area that is conspicuous and visible to employees. A qualified  
25 establishment shall comply with all of the following criteria:

- 26 (1) Cover the cost of the installation through departmental funding or from private  
27 donations.
- 28 (2) Install an adequate dual alarm system connected to the physical location of  
29 the newborn safety device.
- 30 (3) Test the dual alarm system weekly to ensure working order.
- 31 (4) Visually inspect the newborn safety device at least two times per day.
- 32 (5) Develop an emergency plan for rendering of emergency medical care to an  
33 infant and, if required, the immediate transportation of an infant placed into a  
34 newborn safety device to the nearest qualified health care facility equipped to  
35 accept potential pediatric medical emergencies.



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1       (b)    The Department of Health and Human Services, Division of Social Services, shall  
2 annually inspect each newborn safety device installed in accordance with this section. The  
3 Department shall also perform an initial inspection prior to the newborn safety device becoming  
4 operational.

5       (c)    For the purposes of this section, a qualified establishment means a physical building  
6 of an emergency department, a law enforcement agency, or a fire department that is staffed 24  
7 hours per day by employees."

8               **SECTION 1.(c)** G.S. 7B-527 reads as rewritten:

9       **"§ 7B-527. Rights of surrendering parent.**

10       ...

11       (c)    Immunity. – A parent surrendering an infant pursuant to this Article is immune from  
12 any civil liability or criminal prosecution in accordance with G.S. 14-322.3 as long as the  
13 surrendering parent was acting in good faith. The immunity established by this section does not  
14 extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be  
15 actionable. The act of safely surrendering an infant under this Article does not create an  
16 affirmative defense to any prosecution arising from any other acts taken by the surrendering  
17 parent."

18               **SECTION 2.** This act becomes effective October 1, 2025.