BY adding to
    Article – Courts and Judicial Proceedings
    Section 5–641
    Annotated Code of Maryland
    (1998 Replacement Volume and 2001 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

~~3–828.~~

~~(a)   [An] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN adult may not wilfully contribute to, encourage, cause or tend to cause any act, omission, or condition that renders a child in need of assistance.~~

~~(b)   A person may be convicted under this section even if the child is not adjudicated a CINA.~~

~~(C)   (1)   THIS SECTION DOES NOT APPLY WHEN A PERSON LEAVES AN UNHARMED NEWBORN WITH A HOSPITAL, LAW ENFORCEMENT, LOCAL DEPARTMENT OF SOCIAL SERVICES, OR FIRE AND RESCUE EMPLOYEE RESPONSIBLE PERSON WITHIN 3 DAYS AFTER THE BIRTH OF THE NEWBORN, AS DETERMINED WITHIN A REASONABLE DEGREE OF MEDICAL CERTAINTY, AND THE PERSON DOES NOT EXPRESS AN INTENT TO RETURN FOR THE NEWBORN.~~

~~(2)   WHEN IF THE PERSON LEAVING A NEWBORN UNDER THIS SUBSECTION IS NOT THE MOTHER OF THE NEWBORN, THE PERSON SHALL HAVE THE APPROVAL OF THE MOTHER TO DO SO.~~

~~(3)   A HOSPITAL, LAW ENFORCEMENT, SOCIAL SERVICES, OR FIRE AND RESCUE EMPLOYEE WHO ACCEPTS OR TREATS A NEWBORN UNDER THIS SUBSECTION SHALL HAVE THE IMMUNITY DESCRIBED UNDER § 5–621.1 OF THIS ARTICLE FROM CIVIL LIABILITY OR CRIMINAL PENALTY.~~

~~(4)   THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS SHALL DEVELOP AND ESTABLISH APPROPRIATE PROTOCOL PROCEDURES FOR FIRE AND RESCUE EMPLOYEES WHO ACCEPT OR TREAT A NEWBORN UNDER THIS SUBSECTION.~~

~~(5)   A PERSON WITH WHOM A NEWBORN IS LEFT UNDER THE CIRCUMSTANCES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, WITHIN 3 DAYS AFTER THE NEWBORN WAS LEFT, SHALL TAKE THE NEWBORN TO A HOSPITAL, LAW ENFORCEMENT AGENCY, LOCAL DEPARTMENT OF SOCIAL SERVICES, OR FIRE AND RESCUE COMPANY.~~

~~[(c)] (D)   An adult who violates this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $2,500 or imprisonment not exceeding 3 years or both.~~