

ENROLLMENT(S)

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COUNCIL OF THE DISTRICT OF COLUMBIA

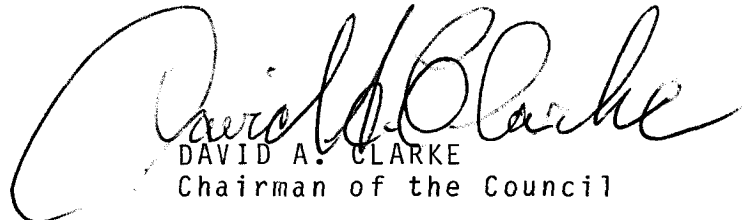
NOTICE

D.C. LAW 8-134

"Infant and Child Abandonment Prevention
Amendment Act of 1990".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-404 on first and second readings, March 13, 1990, and March 27, 1990, respectively. Following the signature of the Mayor on April 13, 1990, this legislation was assigned Act No. 8-190, published in the April 27, 1990, edition of the D.C. Register, (Vol. 37 page 2613) and transmitted to Congress on April 18, 1990 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-134, effective June 8, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

April 18,19,20,23,24,25,26,27,30

May 1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24

June 5,6,7

JUN 08 1990

Codification,
District of Columbia Code
(1991 Supplement)

AN ACT

D.C. ACT 8 - 190

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APR 13 1990

To amend the Prevention of Child Abuse and Neglect Act of 1977 to provide that a child left by a parent, guardian, or custodian in a hospital in the District of Columbia for at least 10 calendar days following the birth of a child, despite a medical determination that the child is ready for discharge, shall be deemed a neglected child; and to create a legal inference that a child left by a parent, guardian, or custodian in a hospital in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge, shall be deemed an abandoned child; and to require that any child that is deemed neglected or abandoned be taken into protective custody by the District of Columbia Department of Human Services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Infant and Child Abandonment Prevention Amendment Act of 1990".

Sec. 2. Title 16 of the District of Columbia Code is amended as follows:

(a) Section 16-2301 is amended as follows:

(1) Subparagraph (9)(F) is amended by striking the period and inserting the phrase "; or" in its place.

Section
16-2301

(2) A new subparagraph (G) is added to read as follows:

"(G) who has resided in a hospital located in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child."

(b) Section 16-2309(a) is amended as follows:

Section
16-2309

(1) Paragraph (3) is amended by striking the period and inserting a semicolon in its place.

(2) Paragraph (4) is amended by striking the period and inserting a semicolon in its place.

(3) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(4) A new paragraph (6) is added to read as follows:

"(6) by the Chief of the Child Protective Services Division of the Department of Human Services or his or her designee, upon written notification by the chief executive officer of a hospital located in the District of Columbia, that the child has resided in the hospital for at least 10 calendar days following the birth of the child, despite a medical determination that the child is ready for discharge from the hospital, and the parent, guardian or custodian of the child, as established by the hospital admission records, has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child."

(c) Section 16-2316(d) is amended as follows:

Section
16-2316

(1) Paragraph (3) is amended by striking the period after the word "months" and inserting the phrase "; or" in its place.

(2) A new paragraph (4) is added to read as follows:

"(4) the child has resided in a hospital located in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child was ready for discharge from the hospital, and the parent, guardian, or custodian of the child did not undertake any action or make any effort to maintain a parental, guardianship, or custodial relationship or contact with the child."

(d) Section 16-2353(b) is amended as follows:

Section
16-2353

(1) Paragraph (3) is amended by striking the word "and" after the phrase "foster parent;"

(2) A new paragraph (3A) is added to read as follows:

"(3A) the child was left by his or her parent, guardian, or custodian in a hospital located in the District of Columbia for at least 10 calendar days following the birth of the child, despite a medical determination that the child was ready for discharge from the hospital, and the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child; and"

Sec. 3. Section 107 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Code, sec. 6-2105), is amended by adding a new subsection (e) to read as follows:

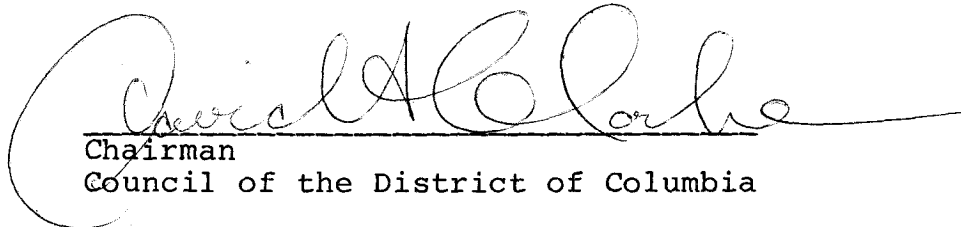
Section
6-2105

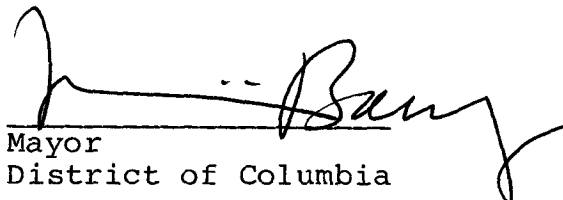
"(e) The Chief of the Division or his or her designee shall take custody of a child and remove the child from a hospital pending further custody proceedings if:

"(1) The Chief of the Division receives written notification from the chief executive officer of a hospital located in the District of Columbia that a child has resided in the hospital for at least 10 days following the birth of the child, despite a medical determination that the child is ready for discharge; and

"(2) The parent, guardian, or custodian of the child, as established by the hospital admission records, has taken no action or made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child."

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.


Chairman
Council of the District of Columbia


Mayor
District of Columbia

APPROVED: April 13, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-404

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 3-13-90

VOICE VOTE: Approved

Recorded vote on request

Absent: Mason

ROLL CALL VOTE: -- RESULT _____ (____/____/____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

3-29-90
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 3-27-90

VOICE VOTE: Approved

Recorded vote on request

Absent: Thomas

ROLL CALL VOTE: -- RESULT _____ (____/____/____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

3-29-90
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: -- RESULT _____ (____/____/____)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

 Secretary to the Council

 Date