

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1140

By: Treat of the Senate

and

Dunlap of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to children; prohibiting requirement
12 for certain private child-placing agency to
13 participate in certain placements; prohibiting denial
14 or renewal of certain license under certain
15 circumstances; prohibiting denial of grants or
16 contracts under certain circumstances; prohibiting
17 certain civil action; providing exceptions;
18 construing provisions; providing for codification;
19 and providing an effective date.

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22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 1-8-112 of Title 10A, unless
there is created a duplication in numbering, reads as follows:

A. To the extent allowed by federal law, no private child-
placing agency receiving neither federal nor state funds shall be
required to perform, assist, counsel, recommend, consent to, refer,

1 or participate in any placement of a child for foster care or
2 adoption when the proposed placement would violate the agency's
3 written religious or moral convictions or policies.

4 B. The Department of Human Services shall not deny an
5 application for an initial license or renewal of a license or revoke
6 the license of a private child-placing agency receiving neither
7 federal nor state funds because of the agency's objection to
8 performing, assisting, counseling, recommending, consenting to,
9 referring, or participating in a placement that violates the
10 agency's written religious or moral convictions or policies.

11 C. A state or local government entity may not deny a private
12 child-placing agency receiving neither federal nor state funds any
13 grant, contract, or participation in a government program because of
14 the agency's objection to performing, assisting, counseling,
15 recommending, consenting to, referring, or participating in a
16 placement that violates the agency's written religious or moral
17 convictions or policies.

18 D. Refusal of a private child-placing agency receiving neither
19 federal nor state funds to perform, assist, counsel, recommend,
20 consent to, refer, or participate in a placement that violates the
21 agency's written religious or moral convictions or policies shall
22 not form the basis of a civil action.

23 E. Notwithstanding the provisions of this section, a private
24 child-placing agency shall not refuse to perform any act otherwise

1 required by state or federal law, or authorize any act otherwise
2 prohibited by state or federal law. The provisions of this act
3 shall not be construed to allow a private child-placing agency to
4 refuse any services to a child in the custody of the Department.

5 SECTION 2. This act shall become effective November 1, 2018.

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