

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

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

By: Treat of the Senate

and

Dunlap of the House

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11 COMMITTEE SUBSTITUTE

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

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1-8-112 of Title 10A, unless
24 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

1 required to perform, assist, counsel, recommend, consent to, refer,
2 or participate in any placement of a child for foster care or
3 adoption when the proposed placement would violate the agency's
4 written religious or moral convictions or policies.

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

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

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

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

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

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9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 04/12/2018 - DO
10 PASS, As Amended.

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