

An Act

ENROLLED SENATE
BILL NO. 1140

By: Treat of the Senate

and

Dunlap, Bennett (John),
Strohm, Gann, Roberts
(Sean), Cleveland and Derby
of the House

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

SUBJECT: Child-placing agencies

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

SECTION 1. NEW LAW A new section of law to be codified 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 shall be required to perform, assist, counsel, recommend, consent to, refer, or participate in any placement of a child for foster care or adoption when the proposed placement would violate the agency's written religious or moral convictions or policies.

B. The Department of Human Services shall not deny an application for an initial license or renewal of a license or revoke the license of a private child-placing agency because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies.

C. A state or local government entity may not deny a private child-placing agency any grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies.

D. Refusal of a private child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates the agency's written religious or moral convictions or policies shall not form the basis of a civil action.

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

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

Passed the Senate the 3rd day of May, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 3rd day of May, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____