

1 ENGROSSED SENATE
2 BILL NO. 1140

By: Treat of the Senate

3 and

4 Dunlap of the House
5

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

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

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

19 A. To the extent allowed by federal law, no private child-
20 placing agency shall be required to perform, assist, counsel,
21 recommend, consent to, refer, or participate in any placement of a
22 child for foster care or adoption when the proposed placement would
23 violate the agency's written religious or moral convictions or
24 policies.

25 B. The Department of Human Services shall not deny an
26 application for an initial license or renewal of a license or revoke

1 the license of a private child-placing agency because of the
2 agency's objection to performing, assisting, counseling,
3 recommending, consenting to, referring, or participating in a
4 placement that violates the agency's written religious or moral
5 convictions or policies.

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

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

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

22 SECTION 2. This act shall become effective November 1, 2018.
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1 Passed the Senate the 13th day of March, 2018.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2018.

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8 _____
9 Presiding Officer of the House
10 of Representatives