

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3486

By: Jordan

AS INTRODUCED

An Act relating to children; permitting private child-placing agency to refuse action that violates its written religious convictions or policies; prohibiting denial or revocation of agency license due to refusal; barring action by government entity to penalize agency; disallowing certain action to recover damages against agency; defining term; providing for codification; and providing an effective date.

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 1-1-106 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. In accordance with Section 2 of Article I of the Oklahoma Constitution, 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 written religious or moral convictions or policies of the agency.

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

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

15 D. Refusal of a private child-placing agency to perform,
16 assist, counsel, recommend, consent to, refer or participate in a
17 placement that violates the written religious or moral convictions
18 or policies of the agency shall not form the basis of any action for
19 damages.

20 E. For purposes of this section, "private child-placing agency"
21 means any private child welfare agency that arranges for or places a
22 child in a foster family home, group home, adopted home or a
23 successful adulthood or independent living program.
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SECTION 2. This act shall become effective November 1, 2018.

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