

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1140 By: Treat of the Senate  
3 and  
4 Dunlap of the House  
5  
6

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

13 AUTHORS: Add the following House Coauthors: Bennett (John) and  
14 Strohm

15 AMENDMENT NO. 1. Replace the title, enacting clause and entire bill  
16 and insert

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

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

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

4           A. To the extent allowed by federal law, no private child-  
5 placing agency receiving neither federal nor state funds shall be  
6 required to perform, assist, counsel, recommend, consent to, refer,  
7 or participate in any placement of a child for foster care or  
8 adoption when the proposed placement would violate the agency's  
9 written religious or moral convictions or policies.

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

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

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

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

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

13 Passed the House of Representatives the 26th day of April, 2018.

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16 \_\_\_\_\_  
17 Presiding Officer of the House of  
Representatives

18 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2018.

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21 \_\_\_\_\_  
22 Presiding Officer of the Senate  
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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 3. 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.

B. The Department of Human Services shall not deny an  
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 4. This act shall become effective November 1, 2018.

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Passed the Senate the 13th day of March, 2018.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2018.

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Presiding Officer of the House  
of Representatives