

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 1, 2018

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 1140

By: Treat of the Senate and Dunlap et al of the House


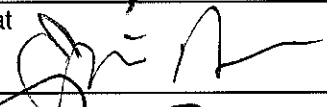

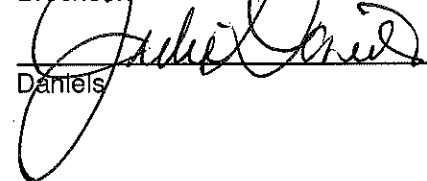
Title: Children; prohibiting requirement for private agencies to participate in certain placements;
prohibiting certain actions based on religious or moral convictions. Effective date.

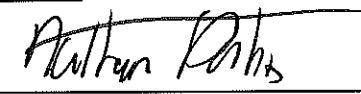
together with Engrossed House Amendments thereto, beg leave to report that we have had the
same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.

Respectfully submitted,

SENATE CONFEREES:


Treat

Yen

Brecheen

Daniels


Dahm

Pittman

Dossett

Senate Action _____ Date _____ House Action _____ Date _____

epc

1 ENGROSSED HOUSE AMENDMENT
2 TO
3 ENGROSSED SENATE BILL NO. 1140 By: Treat of the Senate
4 and
5 Dunlap of the House
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.
16
17 AUTHORS: Add the following House Coauthors: Bennett (John) and
18 Strohm
19
20 AMENDMENT NO. 1. Replace the title, enacting clause and entire bill
21 and insert
22
23 "An Act relating to children; prohibiting requirement
24 for certain 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.

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.

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.

14

15

16 _____
Presiding Officer of the House of
Representatives

17

18 Passed the Senate the ____ day of _____, 2018.

19

20

21 _____
Presiding Officer of the Senate

22

23

24

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.

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 4. This act shall become effective November 1, 2018.
23
24

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

2
3 _____
4 Presiding Officer of the Senate

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

7
8 _____
9 Presiding Officer of the House
10 of Representatives