

Legislative Analysis



CHILD PLACING AGENCIES: RELIGIOUS AND MORAL OBJECTIONS TO ADOPTIONS

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House Bill 4928

Sponsor: Rep. Kenneth Kurtz

House Bill 4927

Sponsor: Rep. Andrea LaFontaine

Committee: Families, Children, and Seniors
Complete to 9-5-13

A SUMMARY OF HOUSE BILLS 4928 & 4927 AS INTRODUCED 8-28-13

House Bill 4928 would amend the Michigan Adoption Code (MCL 710.23b et al.) to specify that a child placing agency is not required to perform, assist, counsel, recommend, facilitate, refer, or participate in a placement for adoption that violates its written religious or moral convictions or policies. (The Adoption Code is Chapter X of the Probate Code of 1939.)

Under the bill, a state or local government entity could not deny a child placing agency a grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, facilitating, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies. A child placement agency's refusal to so participate in a placement that violates its written religious policies would not constitute a determination that the proposed adoption is not in the best interests of the adoptee.

House Bill 4927 would amend the Social Welfare Act (MCL 400.5a) by adding Section 5a to specify that the Department of Human Services could not consider a child placing agency's objections to placements based on the agency's written religious or moral convictions or policies in any situation in which the department interacts with that child placing agency. This includes placement considerations, funding considerations, contracting considerations, or any other areas where the department must make a determination involving an agency.

FISCAL IMPACT:

The bills would have no fiscal impact on the state or local units of government or on the judiciary.

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