

Legislative Analysis



ADOPTION AGENCY PLACEMENT OBJECTIONS

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House Bills 5763 and 5764

Sponsor: Rep. Kenneth Kurtz

Committee: Families, Children, and Seniors

Complete to 11-26-12

A SUMMARY OF HOUSE BILLS 5763 & 5764 AS INTRODUCED 6-14-12

House Bill 5763 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 adoption placement objections that are based on written religious or moral convictions or policies. A child placement agency's refusal to 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 5764 would amend the Social Welfare Act, (MCL 400.1 et al.) by adding Section 5a to specify that the Department of Human Services could not, in any situation in which the department interacts with a child placing agency, consider the agency's objections to placements based on the agency's written religious or moral convictions or policies. This includes placement considerations, funding considerations, contracting considerations, or any other areas where the department must make determinations involving the 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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