Senate Bill 368
By: Senators Harbin of the 16th, Gooch of the 51st, Dugan of the 30th, Thompson of the 14th, Mullis of the 53rd and others

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to prohibit child-placing agencies from being required to perform, assist, counsel, recommend, consent to, refer, or participate in any placement of a child for foster care or adoption when the placement violates certain religious or moral convictions of the child-placing agency; to provide for nondiscrimination of such child-placing agencies by entities of state and local government; to provide that certain actions shall not form the basis of a civil action; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, is amended by adding a new Code section to read as follows:

49-5-25.

(a) To the extent permitted under federal law, no 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 child-placing agency's written religious or moral convictions or policies.

(b) The department shall not deny an application for any license or revoke any license of a child-placing agency because of the child-placing agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the child-placing agency's written religious or moral convictions or policies.

(c) No entity of this state or of any county, municipality, or other political subdivision of this state shall deny to a child-placing agency any grant, contract, or participation in a government program because of the child-placing agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a
placement that violates the child-placing agency's written religious or moral convictions or policies.

(d) Refusal of a child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates the agency's written religious or moral convictions or policies shall not form the basis of a civil action for either damages or injunctive relief."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.