



843114

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/08/2015 05:52 PM

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Senator Stargel moved the following:

Senate Amendment (with directory and title amendments)

Between lines 516 and 517

insert:

(19) (a) A private child-placing agency is not required to perform, assist in, recommend, consent to, or participate in the placement of a child or to facilitate the licensure of a family foster home when the proposed placement or licensure would violate the agency's written religious or moral convictions or policies.

(b) The department may not deny an application for, deny



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12 the renewal of, or revoke the license of a private child-placing
13 agency, or the license of a family foster home or residential
14 child-caring agency affiliated with a private child-placing
15 agency, because of the refusal of the private child-placing
16 agency to perform, assist in, recommend, consent to, or
17 participate in the placement of a child or to facilitate the
18 licensure of a family foster home which violates the agency's
19 written religious or moral convictions or policies.

20 (c) The state or a local government or community-based care
21 lead agency may not withhold a grant, contract, or participation
22 in a government program from a licensed private child-placing
23 agency, or from a family foster home or residential child-caring
24 agency affiliated with a private child-placing agency, because
25 of the refusal of the private child-placing agency to perform,
26 assist in, recommend, consent to, or participate in the
27 placement of a child or to facilitate the licensure of a family
28 foster home which violates the agency's written religious or
29 moral convictions or policies.

30 (d) Refusal of a private child-placing agency to perform,
31 assist in, recommend, consent to, or participate in the
32 placement of a child or to facilitate the licensure of a family
33 foster home which violates the agency's written religious or
34 moral convictions or policies does not provide the basis for a
35 claim for injunctive relief or compensatory or punitive damages
36 against such private child-placing agency or any operator,
37 owner, or personnel thereof.

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39 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

40 And the directory clause is amended as follows:



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41 Delete line 491

42 and insert:

43 Section 8. Subsections (18) and (19) are added to section
44 409.175,

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46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete line 77

49 and insert:

50 records containing specified information; providing
51 that a private child-placing agency is not required to
52 place a child or be involved in the placement of a
53 child or to facilitate the licensure of a foster home
54 which would violate the agency's written religious or
55 moral convictions or policies; prohibiting the
56 Department of Children and Families from taking
57 actions related to licensure based on the agency's
58 refusal to place a child or be involved in the
59 placement of a child or to facilitate the licensure of
60 a foster home which violates the agency's written
61 religious or moral convictions or policies;
62 prohibiting certain entities from withholding grants,
63 contracts, or participation in government programs
64 from a private child-placing agency or affiliated
65 agencies or homes based on the agency's refusal to
66 place a child or be involved in the placement of a
67 child or the licensure of a foster home which violates
68 the agency's written religious or moral convictions or
69 policies; providing that such refusal does not provide



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the basis for a claim for injunctive relief or
compensatory or punitive damages; providing an