

HB 7111

2015

1 A bill to be entitled

2 An act relating to conscience protection for private  
3 child-placing agencies; amending s. 409.175, F.S.;  
4 providing that a private child-placing agency is not  
5 required to place a child or be involved in the  
6 placement of a child which would violate the agency's  
7 written religious or moral convictions or policies;  
8 prohibiting the Department of Children and Families  
9 from taking actions related to licensure based on the  
10 agency's refusal to place a child or be involved in  
11 the placement of a child which violates the agency's  
12 written religious or moral convictions or policies;  
13 prohibiting certain entities from withholding grants,  
14 contracts, or participation in government programs  
15 from a private child-placing agency based on the  
16 agency's refusal to place a child or be involved in  
17 the placement of a child which violates the agency's  
18 written religious or moral convictions or policies;  
19 providing that such refusal does not provide the basis  
20 for a claim for injunctive relief or punitive damages;  
21 providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Subsection (18) is added to section 409.175,  
26 Florida Statutes, to read:

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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27           409.175 Licensure of family foster homes, residential  
28 child-caring agencies, and child-placing agencies; public  
29 records exemption.—

30           (18) (a) A private child-placing agency is not required to  
31 perform, assist in, recommend, consent to, or participate in the  
32 placement of a child when the proposed placement would violate  
33 the agency's written religious or moral convictions or policies.

34           (b) The department may not deny an application for an  
35 initial license or renewal of a license, or revoke the license,  
36 of a private child-placing agency because of the agency's  
37 refusal to perform, assist in, recommend, consent to, or  
38 participate in the placement of a child which violates the  
39 agency's written religious or moral convictions or policies.

40           (c) The state or a local government or community-based  
41 care lead agency may not withhold a grant, contract, or  
42 participation in a government program from a private child-  
43 placing agency because of the agency's refusal to perform,  
44 assist in, recommend, consent to, or participate in the  
45 placement of a child which violates the agency's written  
46 religious or moral convictions or policies.

47           (d) Refusal of a private child-placing agency to perform,  
48 assist in, recommend, consent to, or participate in the  
49 placement of a child which violates the agency's written  
50 religious or moral convictions or policies does not provide the  
51 basis for a claim for injunctive relief or punitive damages.

52           Section 2. This act shall take effect July 1, 2015.