

Department of Planning and Budget
2012 Fiscal Impact Statement

1. Bill Number: SB 349

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: McWaters, Jeffrey L.

3. Committee: Passed Both Houses

4. Title: Child-placing agency; conscience clause

5. Summary: The enrolled bill provides that, to the extent allowed by federal law, no private 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 agency's written religious or moral convictions or policies. In addition, the bill provides that (i) the Commissioner of Social Services shall not deny an application for an initial license or renewal of a license, nor revoke a license, of any private child-placing agency and (ii) no state or local government entity shall deny a private child-placing agency any grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies. The bill provides that the refusal of a private child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates its written moral or religious convictions or policies shall not form the basis of any claim for damages.

6. Budget Amendment Necessary: No

7. No Fiscal Impact

8. Fiscal Implications: The provisions of this bill would not be expected to have an impact on the number of available child placing agencies in the Commonwealth. Therefore, the proposal would not have an effect on existing staff workloads in the Department of Social Services or child welfare programs.

9. Specific Agency or Political Subdivisions Affected: Department of Social Services

10. Technical Amendment Necessary: No

11. Other Comments: This bill is a companion to HB 189.

Date: 2/23/12

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