

2021 SPECIAL SESSION I

SENATE SUBSTITUTE

21200177D

HOUSE BILL NO. 1932

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services
on February 12, 2021)

(Patron Prior to Substitute—Delegate Levine)

A BILL to amend and reenact § 63.2-1709.3 of the Code of Virginia, relating to child-placing agencies; conscience clause.

Be it enacted by the General Assembly of Virginia:

1. That § 63.2-1709.3 of the Code of Virginia is amended and reenacted as follows:

§ 63.2-1709.3. Child-placing agencies; conscience clause.

A. 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. *If a private child-placing agency refuses to perform, assist, counsel, recommend, consent to, refer, or participate in the placement of a child for foster care or adoption on the basis that the proposed placement would violate the child-placing agency's written religious or moral convictions or policies, the child-placing agency shall immediately (i) direct the person seeking services to the online directory of licensed child-placing agencies maintained by the Department and (ii) provide the name and contact information of the person seeking services to the Department, provided that the person seeking services consents to such disclosure.*

B. The Commissioner shall not deny an application for an initial license or renewal of a license or revoke the license of a private child-placing agency 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.

~~C. A state or local government entity may not 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.~~

~~D. Refusal of a private 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 any claim for damages.~~

2. That the provisions of this act amending subsection C of § 63.2-1709.3 of the Code of Virginia shall become effective on July 1, 2022.

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