

**Public Policy Position
HB 4974**

The Family Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 2,649 members. The Family Law Section is not the State Bar of Michigan and the position expressed herein is that of the Family Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Family Law Section has a public policy decision-making body with 21 members. On October 21, 2023, the Section adopted its position after a discussion and vote at a scheduled meeting. 11 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 10 members did not vote.

Support

Explanation:

Bill to repeal MCL 400.5a, which provides that “the department shall not take an adverse action against a child placing agency on the basis that the child placing agency has declined or will decline to provide services that conflict with, or provide services under circumstances that conflict with, the child placing agency's sincerely held religious beliefs contained in a written policy, statement of faith, or other document adhered to by the child placing agency.” FLS opposed this bill when it passed in 2015 by a vote of 19-0-0. At that time, FLS position stated “In essence, the bill requires Michigan taxpayers to fund discriminatory actions based on religious principles. The Family Law Section believes that a private faith based agency can decide for itself how it wants to handle placements of children voluntarily placed with agency. The Family Law Section does not believe that public funds can be used to support discriminatory actions.” The Section's views on this matter have not changed since 2015. Consistent with the Section's position in 2015 when the legislation was enacted, the committee remains opposed to 400.5a and supports its repeal.

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