

FAMILY LAW SECTION
Respectfully submits the following position on:

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HB 4927, HB 4928, HB 4991

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Family Law Section is 2,481.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor to this position was 21. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

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Bill Number:

[HB 4927](#) (LaFontaine) Children; adoption; licensure of child placing agency that objects to placements on religious or moral grounds; allow. Amends [1939 PA 280](#) (MCL [400.1](#) - [400.119b](#)) by adding sec. 5a.

[HB 4928](#) (Kurtz) Children; adoption; objection to placements by child placing agency based on religious or moral convictions; allow. Amends secs. 23b, 23d, 23e & 46, ch. X of [1939 PA 288](#) (MCL [710.23b](#) et seq.).

[HB 4991](#) (Leonard) Children; adoption; objection to placements by child placing agency based on religious or moral convictions; allow. Amends [1973 PA 116](#) (MCL [722.111](#) - [722.128](#)) by adding sec. 14e.

Date position was adopted:

September 19, 2013

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

21 Voted for position

0 Voted against position

0 Abstained from vote

0 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

HBs 4927, 4928, and 4991 would require the State of Michigan and any political subdivision of the state to license and fund child placement agencies that apply discriminatory practices based on their religious or moral convictions or policies. It is unconstitutional for the State of Michigan to engage in invidious discrimination, and the state may not accomplish this indirectly by funding agencies that discriminate. These bills would force Michigan taxpayers to

fund any agency that applied for a license. If an agency refused to let blond women adopt, or insisted that single, left-handed men made the best adoptive parents, Michigan taxpayers could not deny the agency funding. This is a waste of scarce tax dollars. The Family Law Section opposes these bills.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2013-HB-4927>

<http://legislature.mi.gov/doc.aspx?2013-HB-4928>

<http://legislature.mi.gov/doc.aspx?2013-HB-4991>