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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

**MEMORANDUM**

To: Chairman Barker  
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: March 20, 2018

Subject: HB 2687 – Adoption Protection Act.

House Bill No. 2687 (HB 2687) would create the Adoption Protection Act (Act). Under the Act, child placement agencies are provided certain statutory protections from adverse actions taken against such agencies solely on the basis of a sincerely held religious belief of such agency. A "child placement agency" is a business engaged in the placement of children for foster care or adoption and that is licensed under K.S.A. 65-501 by the Kansas Department of Health and Environment. An agency's sincerely held religious beliefs must be described in the agency's organizing documents, written policies, or other written document approved by the agency's governing body.

Under HB 2687, the following protections would be provided to a child placement agency:

- (1) No agency would be required to perform, assist, counsel, recommend, consent to, refer, or otherwise participate in any placement of a child if the proposed placement would violate an agency's sincerely held religious beliefs.
- (2) No agency would have its license, permit, or other authorization to conduct business suspended, revoked, or otherwise denied solely because the agency refused to participate in a placement that would violate an agency's sincerely held religious beliefs.
- (3) No agency would be denied a contract, grant, or participation in any government program solely because the agency refused to participate in a placement that would violate an agency's sincerely held religious beliefs.

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(4) An agency's refusal to participate in a placement that would violate an agency's sincerely held religious beliefs cannot be the basis for any civil or administrative action taken against the agency.

The provisions of HB 2687 would not apply to any entities who are case management contractors for the State for managing children placed in foster care.

If enacted, HB 2687 would become effective on July 1, 2018.