

THE FREEDOM TO SERVE CHILDREN ACT

Learn about the new law that protects faith-based child welfare providers

The Freedom to Serve Children Act, HB 3859, passed the Texas Legislature with bipartisan support and was signed by Gov. Greg Abbott on June 15, 2017. The law protects faith-based child welfare providers from being targets of discrimination or litigation if they do not refer girls for abortion, or if they chose to only place children in homes with a married mother and father. Please join our effort to spread the word about the new Freedom to Serve Children Act to ensure faith-based child welfare providers continue to operate in confidence of their religious freedom protections.

Freedom to Serve Children Act Overview

- Faith-based child welfare providers in Texas cannot be punished for their sincerely held religious beliefs, including the beliefs that life begins at conception and that marriage is between one man and one woman.
- The state of Texas cannot deny an application, decline a contract, decline to issue a license, or terminate a child welfare provider for their sincerely held religious beliefs.
- Faith-based child welfare providers include those assisting abused or neglected children, counseling children or parents, providing foster care and providing adoptive homes.

Attacks on Faith-Based Child Welfare Providers

- In 2006, Catholic Charities in Boston and San Francisco were forced by the government to shut down their adoption services because of their sincerely held religious belief that marriage is defined as being between one man and one woman.
- In 2010, Catholic Charities of the Archdiocese of Washington in Washington, D.C., was no longer eligible to partner with the District of Columbia's adoption and foster care program because of their belief that marriage is defined as being between one man and one woman. [1]
- In 2011 Catholic Charities in Illinois was forced to close down because the state required them to violate their sincerely held religious belief on marriage in order to receive state funds.
- In 2017, Buckner Foster and Adoption Care testified before the Texas Legislature stating that the attacks on religious freedom against faith-based child welfare providers forced a moratorium on their ability to expand their services in Texas. HB 3859 gives Buckner the assurance they can continue operate and expand their services in Texas. [2]
- In 2017, the Children's Home of Lubbock testified before the Texas Legislature stating that HB 3859 will ensure their sincerely held religious beliefs are protected and that the organization will not be forced to close their adoption services.

Does the Freedom to Serve Children's Act only protect adoption agencies?

No. The Freedom to Serve Children Act protects anyone who "provides, seeks to provide, or applies for or receives a contract, subcontract, grant, subgrant, or cooperative agreement to provide child welfare services. The person is not required to be engaged exclusively in child welfare services to be a child welfare services provider." [3]

Does this law protect faith-based child welfare providers who believe life begins at conception?

Yes. The Freedom to Serve Children Act ensures faith-based child welfare providers will not be forced to "provide, facilitate, or refer a person for an abortion." [3]

What happens if a faith-based child welfare provider is asked to facilitate a request that violates their sincerely held religious belief?

The Freedom to Serve Children Act states that faith-based child welfare providers are to refer requests that violate their sincerely held religious beliefs to other entities that may facilitate the request.

1. <http://www.usccb.org/issues-and-action/religious-liberty/discrimination-against-catholic-adoption-services.cfm>
2. http://tlchouse.granicus.com/MediaPlayer.php?view_id=40&clip_id=13270
3. <http://www.capitol.state.tx.us/tlodocs/85R/billtext/pdf/HB03859F.pdf>

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