

Senate File 473 - Introduced

SENATE FILE 473
BY COMMITTEE ON HEALTH AND HUMAN
SERVICES

(SUCCESSOR TO SF 236)

A BILL FOR

1 An Act relating to certain sincerely held religious or moral
2 beliefs of child foster care providers and prospective
3 adoptive parents.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 237.10, Code 2025, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9A. a. The department shall not do any of
4 the following:

5 (1) Require an individual licensee to affirm, accept, or
6 support a policy related to sexual orientation or gender identity
7 that conflicts with the person's sincerely held religious or
8 moral beliefs.

9 (2) Preclude a person from providing child foster care as an
10 individual licensee based, in whole or in part, on the person's
11 sincerely held religious or moral beliefs related to sexual
12 orientation or gender identity, including but not limited to the
13 person's intent to guide, instruct, or raise a child in a manner
14 consistent with the person's sincerely held religious or moral
15 beliefs.

16 b. The department, and the department's designees, shall not
17 adopt a standard, policy, or rule that precludes an individual
18 licensee from being considered as a child's child foster care
19 provider based, in whole or in part, on the person's sincerely
20 held religious or moral beliefs related to sexual orientation or
21 gender identity.

22 c. This subsection shall not be interpreted to preclude
23 the department, or the department's designee, from taking into
24 account the sincerely held moral and religious beliefs, including
25 but not limited to the sincerely held moral and religious beliefs
26 related to sexual orientation and gender identity, of a child
27 and the child's family of origin as compared to the sincerely
28 held moral and religious beliefs of a potential child foster care
29 provider when determining the most appropriate placement for the
30 child consistent with the best interests of the child.

31 d. (1) A current or prospective child foster care provider
32 may bring an action asserting a violation of this subsection. A
33 court may provide the current or prospective child foster care
34 provider injunctive relief, declaratory relief, or other relief
35 as the court deems appropriate, and may award reasonable attorney

1 fees and costs.

2 (2) The attorney general may bring an action to enforce this
3 subsection.

4 Sec. 2. Section 600.7A, Code 2025, is amended to read as
5 follows:

6 **600.7A Adoption services provided by or through the**
7 **department — selection of adoptive parent criteria.**

8 1. The department shall adopt rules which provide that if
9 adoption services are provided by or through the department,
10 notwithstanding any other selection of adoptive parent criteria,
11 the overriding criterion shall be a preference for placing a
12 child in a stable home environment as expeditiously as possible.

13 2. a. The department shall not do any of the following:

14 (1) Require a prospective adoptive parent to affirm, accept,
15 or support a policy related to sexual orientation or gender
16 identity that conflicts with the person's sincerely held
17 religious or moral beliefs.

18 (2) Preclude a person from being qualified as a prospective
19 adoptive parent based, in whole or in part, on the person's
20 sincerely held religious or moral beliefs related to sexual
21 orientation or gender identity, including but not limited to the
22 person's intent to guide, instruct, or raise a child in a manner
23 consistent with the person's sincerely held religious or moral
24 beliefs.

25 b. The department, and the department's designees, shall not
26 adopt a standard, policy, or rule that precludes a person from
27 being considered as a child's prospective adoptive parent based,
28 in whole or in part, on the person's sincerely held religious or
29 moral beliefs related to sexual orientation or gender identity.

30 c. This subsection shall not be interpreted to preclude the
31 department from taking into account the sincerely held moral and
32 religious beliefs, including sincerely held moral and religious
33 beliefs related to sexual orientation and gender identity, of
34 a child and the child's family of origin as compared to the
35 sincerely held moral and religious beliefs of a prospective

1 adoptive parent when determining the most appropriate placement
2 for the child consistent with the best interests of the child.

3 d. (1) A prospective adoptive parent may bring an action
4 asserting a violation of this subsection. A court may provide
5 a prospective adoptive parent injunctive relief, declaratory
6 relief, or other relief as the court deems appropriate, and may
7 award reasonable attorney fees and costs.

8 (2) The attorney general may bring an action to enforce this
9 subsection.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill relates to certain sincerely held religious or moral
14 beliefs (beliefs) of child foster care providers and prospective
15 adoptive parents.

16 The bill prohibits the department of health and human services
17 (HHS) from requiring an individual licensee (foster parent) to
18 affirm, accept, or support a policy related to sexual orientation
19 (orientation) or gender identity (identity) that conflicts with
20 the foster parent's beliefs, or precluding a person from
21 providing child foster care as a foster parent based, in whole
22 or in part, on the person's beliefs related to orientation or
23 identity, including but not limited to the foster parent's intent
24 to guide, instruct, or raise a child in a manner consistent with
25 the foster parent's beliefs.

26 The bill prohibits HHS, and HHS's designees, from adopting a
27 standard, policy, or rule that precludes a foster parent from
28 being considered as a child's child foster care provider based on
29 the foster parent's beliefs related to orientation or identity.

30 The bill is not to be interpreted to preclude HHS or HHS's
31 designee from taking into account the beliefs, including beliefs
32 related to orientation and identity, of a child and the child's
33 family of origin as compared to the beliefs of a potential
34 child foster care provider when determining the most appropriate
35 placement for the child consistent with the best interests of the

1 child.

2 The bill allows a current or prospective child foster care
3 provider to bring an action asserting a violation of the bill.

4 A court may provide a plaintiff injunctive relief, declaratory
5 relief, or other relief as the court deems appropriate, and may
6 award reasonable attorney fees and costs. The attorney general
7 may bring an action to enforce the bill.

8 The bill contains provisions related to prospective adoptive
9 parents that are similar to the prohibitions and actionable
10 rights related to current and prospective child foster care
11 providers.

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