

CHAPTER 1149

CHILD FOSTER CARE PROVIDER AND ADOPTIVE PARENT CRITERIA — RELIGIOUS OR MORAL BELIEFS

S.F. 473

AN ACT relating to certain sincerely held religious or moral beliefs of certain entities for purposes of child foster care and adoption.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 237.10, Code 2026, is amended by adding the following new subsection:

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

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

(2) Preclude a person from being licensed as an individual licensee or approved as an approved kinship caregiver based on the person's sincerely held religious or moral beliefs related to sexual orientation or gender identity, including but not limited to the person's intent to guide, instruct, or raise a child in a manner consistent with the person's sincerely held religious or moral beliefs.

b. (1) The department, and the department's designees, shall not adopt a standard, policy, or rule that precludes an individual licensee or an approved kinship caregiver from being considered as a possible placement for a child based on the person's sincerely held religious or moral beliefs related to sexual orientation or gender identity.

(2) This paragraph shall not preclude the department, or the department's designee, from taking into account the sincerely held moral and religious beliefs, including but not limited to the sincerely held moral and religious beliefs related to sexual orientation and gender identity, of a child and the child's family of origin as compared to the sincerely held moral and religious beliefs of a potential individual licensee or approved kinship caregiver when determining the most appropriate placement for the child consistent with the best interests of the child.

c. (1) A current or prospective individual licensee or approved kinship caregiver may bring an action asserting a violation of this subsection. A court may provide the current or prospective individual licensee or approved kinship caregiver injunctive relief, declaratory relief, or other relief as the court deems appropriate, and may award reasonable attorney fees and costs.

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

d. For purposes of this subsection, "*gender identity*" means the same as defined in section 279.78, and "*sexual orientation*" means the same as defined in section 216.2.

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

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

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

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

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

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

b. (1) The department, and the department's designees, shall not adopt a standard,

policy, or rule that precludes a person from being considered as a child's prospective adoptive parent based on the person's sincerely held religious or moral beliefs related to sexual orientation or gender identity.

(2) This paragraph shall not preclude the department from taking into account the sincerely held moral and religious beliefs, including sincerely held moral and religious beliefs related to sexual orientation and gender identity, of a child and the child's family of origin as compared to the sincerely held moral and religious beliefs of a prospective adoptive parent when determining the most appropriate placement for the child consistent with the best interests of the child.

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

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

d. For purposes of this subsection, "gender identity" means the same as defined in section 279.78, and "sexual orientation" means the same as defined in section 216.2.

Sec. 3. DEPARTMENT OF HEALTH AND HUMAN SERVICES — CHILD FOSTER CARE AND ADOPTION SERVICES — DEPARTMENT REVIEW OF RELIGIOUS ORGANIZATIONS.

1. The department of health and human services shall adopt rules pursuant to chapter 17A to amend the department's rules relating to child foster care and adoption recruitment, retention, training, and support services to provide, unless otherwise provided by federal law or regulation, that an entity that holds itself out to the public as a religious organization as defined in section 13C.1, and that has a contract, subcontract, or other agreement with the department or an agent of the department to provide child foster care or adoption services, shall not be required to provide the contracted, subcontracted, or other agreed upon services in a manner inconsistent with the religious organization's sincerely held religious beliefs.

2. a. This section shall not prohibit the department from determining the best interests of a child in the provision of child foster care, as that term is defined in section 237.1, or adoption services to the child.

b. This section shall not relieve the department of the department's duty to determine the best interests of a child in the provision of child foster care or adoption services to the child.

Approved June 2, 2026