

**SENATE BILL NO. 377**

February 24, 1999, Introduced by Senator GOUGEON, GOSCHKA and EMERSON and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
(MCL 400.1 to 400.119b) by adding section 57i.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1        SEC. 57I. (1) THE FAMILY INDEPENDENCE AGENCY SHALL COOPER-  
2 ATE WITH RELIGIOUS ORGANIZATIONS TO ALLOW THOSE ORGANIZATIONS TO  
3 COMPETE ON THE SAME BASIS AS OTHER PRIVATE ORGANIZATIONS FOR CON-  
4 TRACTS TO PROVIDE SERVICES TO RECIPIENTS, INCLUDING, BUT NOT  
5 LIMITED TO, MENTORING OR SUPPORTIVE SERVICES. THE FAMILY INDE-  
6 PENDENCE AGENCY SHALL NOT DISCRIMINATE AGAINST A RELIGIOUS ORGAN-  
7 IZATION THAT SEEKS A CONTRACT DESCRIBED IN THIS SUBSECTION ON THE  
8 BASIS OF THE ORGANIZATION'S RELIGIOUS CHARACTER.  
9        (2) BEFORE ESTABLISHING A PROGRAM IN A COMMUNITY THAT IS  
10 DESIGNED TO OFFER SERVICES THAT ARE THE SAME AS OR SIMILAR TO

1 SERVICES THAT ARE ALREADY BEING OFFERED BY A COMMUNITY SERVICES  
2 AGENCY IN THE COMMUNITY, THE FAMILY INDEPENDENCE AGENCY SHALL  
3 DOCUMENT THE NEED FOR THE PROGRAM IN THE COMMUNITY AND SEND THE  
4 DOCUMENTATION TO THE CHAIRPERSONS OF THE LEGISLATIVE STANDING  
5 COMMITTEES IN THE SENATE AND THE HOUSE OF REPRESENTATIVES HAVING  
6 JURISDICTION OVER MATTERS RELATING TO THE FAMILY INDEPENDENCE  
7 AGENCY.

8       (3) EXCEPT AS OTHERWISE PROVIDED IN LAW, A RELIGIOUS ORGANI-  
9 ZATION SHALL NOT DISCRIMINATE AGAINST AN INDIVIDUAL IN REGARD TO  
10 RENDERING ASSISTANCE FUNDED BY THE FAMILY INDEPENDENCE AGENCY ON  
11 THE BASIS OF RELIGION, A RELIGIOUS BELIEF, OR REFUSAL TO PARTICI-  
12 PATE ACTIVELY IN A RELIGIOUS PRACTICE.

13       (4) A RELIGIOUS ORGANIZATION THAT ACCEPTS MONEY FROM THE  
14 FAMILY INDEPENDENCE AGENCY TO PROVIDE SERVICES DESCRIBED IN THIS  
15 SECTION SHALL RETAIN ITS INDEPENDENCE FROM FEDERAL, STATE, AND  
16 LOCAL GOVERNMENTS, INCLUDING THE RELIGIOUS ORGANIZATION'S CONTROL  
17 OVER THE DEFINITION, DEVELOPMENT, PRACTICE, AND EXPRESSION OF ITS  
18 RELIGIOUS BELIEFS. THE RELIGIOUS ORGANIZATION IS NOT REQUIRED TO  
19 ALTER ITS FORM OF INTERNAL GOVERNANCE, TO REMOVE RELIGIOUS ART,  
20 ICONS, SCRIPTURE, OR OTHER SYMBOLS IN ORDER TO BE ELIGIBLE TO  
21 CONTRACT TO PROVIDE ASSISTANCE, OR TO ACCEPT CERTIFICATES, VOUCH-  
22 ERS, OR OTHER FORMS OF DISBURSEMENT, FUNDED BY THE FAMILY INDE-  
23 PENDENCE AGENCY.

24       (5) AS USED IN THIS SECTION:

25       (A) "COMMUNITY SERVICES AGENCY" MEANS AN ORGANIZATION THAT  
26 MEETS ALL OF THE FOLLOWING CRITERIA AS DETERMINED BY THE FAMILY  
27 INDEPENDENCE AGENCY:

1       (i) THE ORGANIZATION IS DESIGNED TO IMPROVE THE QUALITY OF  
2 LIFE FOR COMMUNITY RESIDENTS, PARTICULARLY LOW-INCOME  
3 INDIVIDUALS.

4       (ii) THE ORGANIZATION IS OPERATED FOR PUBLIC BENEFIT ON A  
5 NOT-FOR-PROFIT BASIS, PRIMARILY FOR CHARITABLE, CIVIC, EDUCATION-  
6 AL, RELIGIOUS, WELFARE, OR HEALTH PURPOSES.

7       (iii) THE ORGANIZATION IS NOT AN ENTITY OF CIVIL  
8 GOVERNMENT.

9       (iv) NOT MORE THAN 5% OF THE ORGANIZATION'S EMPLOYEES  
10 RECEIVE PAY FOR THEIR WORK.

11       (B) "RELIGIOUS ORGANIZATION" MEANS A CHURCH, ECCLESIASTICAL  
12 CORPORATION, OR GROUP NOT ORGANIZED FOR PECUNIARY PROFIT THAT  
13 GATHERS IN COMMON MEMBERSHIP FOR MUTUAL SUPPORT AND EDIFICATION  
14 IN PIETY, RELIGIOUS OBSERVANCES, AND WORSHIP OF A SUPREME DEITY.