

SENATE No. 716

[Senate, No. 716. — Moved (Hogan) as a substitute for House Bill, No. 993, amended.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT PROVIDING FOR THE PROTECTION OF CHILDREN
IN THEIR RELIGIOUS BELIEF IN COMMITMENT AND CER-
TAIN OTHER PROCEEDINGS AFFECTING THEM.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 Chapter 119 of the General Laws is hereby amended
2 by inserting after section 40 the following section:—
3 *Section 40A.* Whenever a child is committed to
4 any charitable corporation organized under general or
5 special law of the commonwealth for the purpose of
6 and engaged principally in the care of children such
7 commitment shall be made to such a corporation as
8 is under control of persons of the same religious faith
9 as that of the child.

10 Whenever any child is surrendered, released, placed
11 out or boarded out in a family, a home or an institu-
12 tion, or in the custody of any person other than a
13 relative within the second degree of kinship, such
14 surrender, release, placement or boarding out shall
15 be to, with or in the custody of a person or persons

16 of the same religious faith as that of the child, or to
17 an authorized agency under the control of persons of
18 the same religious faith as that of the child.

19 If a child is placed out or boarded out in the custody,
20 or under the supervision and control, of a person or
21 persons of a religious faith different from that of the
22 child, or if a child is committed to a charitable corpo-
23 ration under the control of persons of a religious faith
24 different from that of the child, the department of
25 public welfare shall state the facts which impelled
26 such disposition to be made, and such statement
27 shall be part of the record of such proceeding or case.

28 The provisions of this section shall not apply to
29 any institution supported or controlled by the com-
30 monwealth or any political division thereof.