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Attorney General Becerra: California Will Restrict State-Funded and State-Sponsored Travel to South Carolina

Press Release / Attorney General Becerra: California Will Restrict State-Fun...

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SACRAMENTO – California Attorney General Xavier Becerra today announced that, effective April 15, 2019, California will prohibit state-funded and state-sponsored travel to South Carolina as a result of a discriminatory provision buried deep within a general budget bill enacted on July 5, 2018 in South Carolina. The law, H-4950 Paragraph 38.29, enables private faith-based child-placing agencies to discriminate against those who do not conform to their religious beliefs or moral convictions, including members of the LGBTQ community. Although H-4950 does not mention sexual orientation explicitly, it is written broadly enough to authorize such discrimination, subjecting it to the provisions of California's Assembly Bill 1887 (AB 1887).

"The State of South Carolina recently enacted a measure that sanctions discrimination against families in the placement of children in need of homes. The State of California stands strongly against any form of discrimination. AB 1887 authorizes my office to make that promise real," **said Attorney General Becerra**. "Pursuant to AB 1887, California will now bar state-funded or sponsored travel to South Carolina."

South Carolina's discriminatory measure comes on the heels of other actions taken in the state prior to the enactment of H-4950. Earlier in 2018, South Carolina's Governor Henry McMaster requested that the U.S. Department of Health and Human Services waive all applicable anti-discrimination regulations to permit the faith-based foster care agency Miracle Hill, as well as other such agencies receiving public funds, to discriminate on any basis consistent with their religious beliefs. As a result of these discriminatory laws, Miracle Hill is able to collect information on the faith of those applying to be foster parents and use it to reject families who want to provide foster care solely on the basis of those beliefs. In one instance, these policies led to the exclusion of a Jewish woman who simply sought to mentor foster youth. This is particularly egregious in light of the fact that Miracle Hill accounted for 15% of all South Carolina foster placements and is reportedly the largest provider of foster families for children who do not have significant special needs in the state. Shortly after requesting an exemption from the U.S. Department of Health and Human Services, Governor McMaster then issued an executive order propping up this discriminatory practice. In January 2019, the Trump Administration granted the waiver requested by Governor McMaster, sanctioning this form of discrimination in South Carolina's foster care system.

AB 1887, which took effect in 2017, prohibits state-funded and state-sponsored travel to states with laws that authorize or require discrimination on the basis of sexual orientation, gender identity, or gender expression. AB 1887's restriction on using state funds for travel applies to California state agencies, departments, boards, authorities, and commissions, including an agency, department, board, authority, or commission of the University of California, the Board of Regents of the University of California, and the California State University.

For additional information on AB 1887, including the list of states subject to its provisions, visit: www.oag.ca.gov/ab1887.

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