



SENATE BILL No. 159

January 31, 1995, Introduced by Senator SHUGARS
and referred to the Committee on Education.

A bill to amend section 3 of Act No. 116 of the Public Acts
of 1973, entitled as amended

"An act to provide for the protection of children through the
licensing and regulation of child care organizations; to provide
for the establishment of standards of care for child care organi-
zations; to prescribe powers and duties of the department of
social services and adoption facilitators; to provide penalties;
and to repeal certain acts and parts of acts,"

as amended by Act No. 232 of the Public Acts of 1980, being sec-
tion 722.113 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 3 of Act No. 116 of the Public Acts of
2 1973, as amended by Act No. 232 of the Public Acts of 1980, being
3 section 722.113 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 3. (1) The rules promulgated by the department shall
6 be used by the department of public health, the fire marshal

1 division of the department of state police, and local authorities
2 in the inspection of and reporting on child care organizations
3 covered by this act. The inspection of the health and fire
4 safety of child care organizations shall be completed by depart-
5 ment staff or by the department of public health, the fire
6 marshal division of the department of state police, local author-
7 ities upon request of the department, or pursuant to
8 subsection (2).

9 (2) If an inspection is not conducted pursuant to subsection
10 (1), a person owning or operating or who proposes to own or oper-
11 ate a child care organization may enter a contract with a local
12 authority or other person qualified to conduct an inspection pur-
13 suant to subsection (1) and pay for that inspection after an
14 inspection is completed pursuant to this subsection. A person
15 may receive a provisional license if the proposed child care
16 organization passes the inspection, and the other requirements of
17 this act are met.

18 (3) The rules promulgated by the department for foster
19 family homes and foster family group homes shall be used by a
20 licensed child placing agency or an approved governmental unit
21 when investigating and certifying a foster family home or a
22 foster family group home.

23 (4) Inspection reports completed by state agencies, local
24 authorities, and child placing agencies ~~—~~ shall be furnished to
25 the department and shall become a part of its evaluation for
26 licensing of organizations covered by this act. After careful
27 consideration of the reports and consultation where necessary,

1 the department shall assume responsibility for the final
2 determination of the issuance, denial, revocation, or provisional
3 nature of licenses issued to nongovernmental organizations. A
4 report of findings shall be furnished to the licensee. A license
5 shall be issued to a specific person or organization at a spe-
6 cific location, shall be nontransferable, and shall remain the
7 property of the department.

8 (5) THIS SECTION DOES NOT APPLY TO A PUBLIC, PRIVATE, OR
9 PAROCHIAL SCHOOL BUILDING, IN WHICH CARE IS PROVIDED TO
10 SCHOOL-AGE CHILDREN FOR PERIODS OF LESS THAN 24 HOURS A DAY
11 EITHER BEFORE OR AFTER SCHOOL, THAT MEETS THE HEALTH AND FIRE
12 SAFETY REQUIREMENTS PRESCRIBED BY THE SCHOOL CODE OF 1976, ACT
13 NO. 451 OF THE PUBLIC ACTS OF 1976, BEING SECTIONS 380.1 TO
14 380.1852 OF THE MICHIGAN COMPILED LAWS.