

HB 6202, As Passed Senate, December 12, 2002

SENATE SUBSTITUTE FOR

HOUSE BILL NO. 6202

(As amended by the Senate, December 12, 2002)

A bill to amend 1973 PA 116, entitled

"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 organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,"

(MCL 722.111 to 722.128) by adding section 9.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 9. (1) A STAFF MEMBER SHALL NOT BE PRESENT IN A CHILD
2 CARE CENTER, CHILD CARING INSTITUTION, OR CHILD PLACING AGENCY IF
3 HE OR SHE HAS BEEN CONVICTED OF EITHER OF THE FOLLOWING:
4 (A) CHILD ABUSE OR CHILD NEGLECT.
5 (B) A FELONY INVOLVING HARM OR THREATENED HARM TO AN INDI-
6 VIDUAL WITHIN THE 10 YEARS IMMEDIATELY PRECEDING THE DATE OF
7 HIRE.

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House Bill No. 6202 as amended December 11, 2002

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1 (2) A VOLUNTEER SHALL NOT HAVE UNSUPERVISED CONTACT WITH CHILDREN
2 WHO ARE
3 IN THE CARE OF A CHILD CARE CENTER, CHILD CARING INSTITUTION, OR
4 CHILD PLACING AGENCY IF HE OR SHE HAS BEEN CONVICTED OF EITHER OF
5 THE FOLLOWING:

6 (A) CHILD ABUSE OR CHILD NEGLECT.

7 (B) A FELONY INVOLVING HARM OR THREATENED HARM TO AN INDI-
8 VIDUAL WITHIN THE 10 YEARS IMMEDIATELY PRECEDING THE DATE OF
9 OFFERING TO VOLUNTEER AT THE CHILD CARE CENTER, CHILD CARING
10 INSTITUTION, OR CHILD PLACING AGENCY.

11 (3) BEFORE A STAFF MEMBER OR UNSUPERVISED VOLUNTEER MAY HAVE CONTACT
12 WITH
13 A CHILD WHO IS IN THE CARE OF A CHILD CARE CENTER, CHILD CARING
14 INSTITUTION, OR CHILD PLACING AGENCY, THE STAFF MEMBER OR VOLUN-
15 TEER SHALL PROVIDE THE CHILD CARE CENTER, CHILD CARING INSTITU-
16 TION, OR CHILD PLACING AGENCY WITH DOCUMENTATION FROM THE FAMILY
17 INDEPENDENCE AGENCY THAT HE OR SHE HAS NOT BEEN NAMED IN A CEN-
18 TRAL REGISTRY CASE AS THE PERPETRATOR OF CHILD ABUSE OR CHILD
19 NEGLECT. FOR INDIVIDUALS WHO ARE EMPLOYED BY OR VOLUNTEER AT A
20 CHILD CARE CENTER, CHILD CARING INSTITUTION, OR CHILD PLACING
21 AGENCY, THE CHILD CARE CENTER, CHILD CARING INSTITUTION, OR CHILD
22 PLACING AGENCY SHALL COMPLY WITH THIS SUBSECTION NOT LATER THAN
23 THE DATE ON WHICH THAT CHILD CARE CENTER'S, CHILD CARING
24 INSTITUTION'S, OR CHILD PLACING AGENCY'S LICENSE IS ISSUED OR
25 FIRST RENEWED AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
26 ADDED THIS SECTION. AS USED IN THIS SUBSECTION, "CHILD ABUSE"
AND "CHILD NEGLECT" MEAN THOSE TERMS AS DEFINED IN SECTION 2 OF
THE CHILD PROTECTION LAW, 1975 PA 238, MCL 722.622.

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1 (4) EACH CHILD CARE CENTER, CHILD CARING INSTITUTION, OR
2 CHILD PLACING AGENCY SHALL ESTABLISH AND MAINTAIN A POLICY
3 REGARDING SUPERVISION OF VOLUNTEERS INCLUDING VOLUNTEERS WHO ARE
4 PARENTS OF A CHILD RECEIVING CARE AT THE CHILD CARE CENTER, CHILD
5 CARING INSTITUTION, OR CHILD PLACING AGENCY.