

HOUSE BILL NO. 5048

June 16, 2021, Introduced by Reps. Roth, Breen, O'Malley, Markkanen, Puri, Ellison, Aiyash, Wakeman, Rogers, Hope, Koleszar, Garza, Tyrone Carter, Manoogian, Tate, Calley, Bellino, Hammoud, Witwer, Coleman, Stone, Kuppa and Cynthia Johnson and referred to the Committee on Families, Children, and Seniors.

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 8e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 8e. (1) Within 90 days after the effective date of this**
2 **section, a child care center that is currently licensed and located**

1 in a multiple occupancy building shall, in a form and manner as
2 prescribed by the department, notify the department if there has
3 been any change in occupancy or use by occupants within the
4 building since its license was issued. Beginning 90 days after the
5 effective date of this section, the department shall require each
6 applicant seeking licensure as a child care center within a
7 multiple occupancy building to clearly state on the application
8 that it will be located within a multiple occupancy building and
9 describe the nature and character of each of the other occupants
10 and the occupant use within that multiple occupancy building.

11 (2) Prior to issuing or renewing a license or provisional
12 license under this act to a child care center located within a
13 multiple occupancy building, the department shall inspect the
14 location to verify that the multiple occupancy and multiple use
15 site does not pose a serious risk to the health, safety, or well-
16 being of children who are under the care of the child care center.
17 As a condition of licensure for a child care center located within
18 a multiple occupancy building, the department may require the child
19 care center to do all of the following:

20 (a) Operate in a separate room, floor, or section of that
21 building.

22 (b) Have and utilize a separate entrance and bathroom facility
23 from the other occupants.

24 (c) Ensure that employees and children within the care of the
25 child care center do not share common areas, such as hallways,
26 gyms, or bathrooms, with other occupants of that building.

27 (d) If an outdoor area is available and shared, ensure that
28 there is a set schedule to keep the children separate from other
29 occupants of that building.

1 (e) Satisfy any other staffing, program, or operational
2 requirements that the department determines are necessary to
3 protect children within the care of that child care center from any
4 serious risk of harm that may stem from being located within a
5 multiple occupancy building.

6 (f) Require the licensee to notify the department within 90
7 days of a change of occupants or occupant use within that building.

8 (3) R 400.8560 of the Michigan Administrative Code is
9 rescinded.