

Act No. 165  
Public Acts of 1997  
Approved by the Governor  
December 29, 1997  
Filed with the Secretary of State  
December 29, 1997  
EFFECTIVE DATE: March 31, 1998

STATE OF MICHIGAN  
89TH LEGISLATURE  
REGULAR SESSION OF 1997

**Introduced by Senators Bouchard, Gougeon, Shugars and Peters**

# **ENROLLED SENATE BILL No. 492**

AN ACT 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 the department of social services and adoption facilitators; to provide penalties; and to repeal certain acts and parts of acts," by amending the title and section 3a (MCL 722.113a), the title as amended by 1994 PA 209 and section 3a as added by 1986 PA 140, and by adding section 8b.

*The People of the State of Michigan enact:*

## TITLE

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.

Sec. 3a. (1) A parent or legal guardian of a child at a child care center or day care center may visit the child at the center at any time.

(2) A parent or legal guardian who wishes to enroll a child at a child care center or day care center may visit the center before the child's enrollment at the times the center establishes.

(3) This section shall not be construed to permit parenting time with a child in violation of a court order.

Sec. 8b. (1) Upon the recommendation of a local foster care review board under section 7a of 1984 PA 422, MCL 722.137, or of a child placing agency, the department may grant a variance to 1 or more licensing rules or statutes regulating foster family homes or foster family group homes to allow the child and 1 or more siblings to remain or be placed together. If the department determines that such a placement would be in the child's best interests and that the

variance from the particular licensing rules or statutes would not jeopardize the health or safety of a child residing in the foster family home or foster family group home, the department may grant the variance.

(2) The department's grant of a variance does not change a private home's licensure status.

*Carol Morey Viventi*

Secretary of the Senate.

*Mary Ann Kelly*

Clerk of the House of Representatives.

Approved \_\_\_\_\_

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Governor.