

Act No. 155
Public Acts of 2023
Approved by the Governor
October 19, 2023
Filed with the Secretary of State
October 19, 2023
EFFECTIVE DATE: October 24, 2023

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Neeley, Aiyash, Rogers, Pohutsky, Rheingans, O'Neal, Hill, Glanville, Wegela, Young, Brixie, Scott, Haadsma, Roth, Hood, Grant, Hope, Paiz, Fitzgerald, Andrews, Wilson, Liberati, Stone, Dievendorf, Byrnes, VanderWall, Steckloff, Edwards, Koleszar, Coleman, Morse, Miller, DeBoer, Bezotte, Neyer, Markkanen, Churches, Farhat, Skaggs and Puri

ENROLLED HOUSE BILL No. 4342

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 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 sections 3j, 3k, and 3l.

The People of the State of Michigan enact:

Sec. 3j. Within 2 years after the effective date of the amendatory act that added this section, each child care center shall do all of the following in a manner consistent with the drinking water management plan created under section 3i:

(a) Post a conspicuous sign near each water outlet and drinking fountain indicating whether or not the outlet is intended to provide water for human consumption. If the water outlet or drinking fountain is intended to provide water for human consumption but is unfiltered, the sign must also state that the water is unfiltered and could contain lead.

(b) Ensure that any water furnished to children for human consumption by the child care center is from a filtered faucet or other filtered source that is certified to meet NSF/ANSI standard 53 for lead reduction and NSF/ANSI standard 42 for particulate removal, or from a water delivery service.

(c) Make available to the public and notify the parent or guardian of each child enrolled in the child care center of the availability of both of the following:

(i) The results of all water sampling and testing conducted under section 3i.

(ii) All filter and filter cartridge replacement dates for each filtered bottle-filling station, filtered faucet, filtered pitcher, or other filtered source.

Sec. 3k. If a child care center is located in a school building that complies with the clean drinking water access act, the child care center is considered to comply with sections 3i and 3j.

Sec. 3l. (1) The department of licensing and regulatory affairs, in coordination with the department of environment, Great Lakes, and energy, shall assist each child care center in maintaining compliance with sections 3i and 3j by providing all of the following:

(a) A template for the drinking water management plan required under section 3i.

(b) A template for tracking filter and filter cartridge replacement dates and the results of water sampling and testing conducted under section 3i.

(c) Guidance documents on all of the following:

(i) Factors that a child care center should consider when selecting filtered bottle-filling stations, filtered faucets, and filters.

(ii) How to shut off or render permanently inoperable a water outlet identified under section 3i(1)(c).

(iii) How to flush a building's cold water plumbing before installing new filtered bottle-filling stations and filtered faucets.

(iv) Common filtered bottle-filling station or filtered faucet installation and operation errors and how to avoid them.

(2) The department of licensing and regulatory affairs shall provide training for child care center staff on filter cartridge use, installation, and maintenance and water sampling protocol. Training under this subsection may be provided as a webinar or incorporated into existing training programs. Within 2 years after the effective date of the amendatory act that added this section, and every 5 years thereafter, all child care center staff responsible for providing or overseeing children's access to drinking water shall participate in training provided by the department of licensing and regulatory affairs under this subsection.

(3) The department of licensing and regulatory affairs shall provide and make available the guidance documents required under subsection (1)(c) not later than 6 months after the effective date of the amendatory act that added this section. Before the department provides the guidance documents, the department shall issue the guidance documents as proposed guidance documents on its website and allow for a 30-day public comment period.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

(a) Senate Bill No. 88.

(b) House Bill No. 4341.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor

Compiler's note: Senate Bill No. 88, referred to in enacting section 1, was filed with the Secretary of State October 24, 2023, and became 2023 PA 173, Imd. Eff. Oct. 24, 2023.

House Bill No. 4341, also referred to in enacting section 1, was filed with the Secretary of State October 19, 2023, and became 2023 PA 154, Eff. Oct. 24, 2023.