

**SUBSTITUTE FOR  
HOUSE BILL NO. 4342**

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 sections 3j, 3k, and 3l.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

5           **(a) Post a conspicuous sign near each water outlet and**

1 drinking fountain indicating whether or not the outlet is intended  
2 to provide water for human consumption. If the water outlet or  
3 drinking fountain is intended to provide water for human  
4 consumption but is unfiltered, the sign must also state that the  
5 water is unfiltered and could contain lead.

6 (b) Ensure that any water furnished to children for human  
7 consumption by the child care center is from a filtered faucet or  
8 other filtered source that is certified to meet NSF/ANSI standard  
9 53 for lead reduction and NSF/ANSI standard 42 for particulate  
10 removal, or from a water delivery service.

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

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

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

19 Sec. 3k. If a child care center is located in a school  
20 building that complies with the clean drinking water access act,  
21 the child care center is considered to comply with sections 3i and  
22 3j.

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

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

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

4 (c) Guidance documents on all of the following:

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

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

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

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

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

26 (3) The department of licensing and regulatory affairs shall  
27 provide and make available the guidance documents required under  
28 subsection (1)(c) not later than 6 months after the effective date  
29 of the amendatory act that added this section. Before the

1 department provides the guidance documents, the department shall  
2 issue the guidance documents as proposed guidance documents on its  
3 website and allow for a 30-day public comment period.

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

- 7 (a) Senate Bill No. 88.  
8 (b) House Bill No. 4341.