

Act No. 716
Public Acts of 2002
Approved by the Governor
December 30, 2002
Filed with the Secretary of State
December 30, 2002
EFFECTIVE DATE: March 31, 2003

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

Introduced by Reps. Woronchak, Tabor, Bob Brown, Toy, Anderson, Vander Veen, Neumann, Sheltrown, Zelenko, Kowall, George, Spade, DeRossett, Meyer, Gielegem, Richardville, Patterson, Bovin, Caul, Hager, Gilbert and Hart

ENROLLED HOUSE BILL No. 6204

AN ACT to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 722.621 to 722.638) by adding section 7j.

The People of the State of Michigan enact:

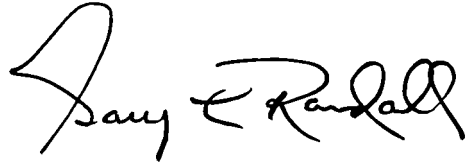
Sec. 7j. (1) Upon written request, the department may provide to an individual documentation stating that the individual is not named in a central registry case as the perpetrator of child abuse or child neglect. The written request required under this section shall include the individual's affirmation that he or she is employed by, volunteers at, is applying for employment in, or is seeking to volunteer in a child care center, child caring institution, or child placing agency.

(2) For the purpose of applying for employment or seeking to volunteer in a child care center, child caring institution, or child placing agency, an individual may share the document provided in subsection (1) with the child care center owner or licensee, or a child caring institution or child placing agency, or an individual authorized by the child care center owner or licensee, the child caring institution, or the child placing agency.

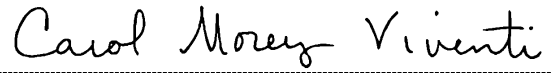
(3) The family independence agency may develop an automated system that will allow an individual applying for child-related employment or seeking to volunteer in a capacity that would allow unsupervised access to a child for whom the individual is not a person responsible for that child's health or welfare to be listed in that system if a screening of the individual finds that he or she has not been named in a central registry case as the perpetrator of child abuse or child neglect. The automated system developed under this section shall provide for public access to the list of individuals who have been screened for the purposes of complying with this section. An automated system developed under this section shall have appropriate safeguards and procedures to ensure that information that is confidential under this act, state law, or federal law is not accessible or disclosed through that system.

(4) For the purposes of this section or section 7(2)(k) or (l), a case investigated before July 1, 1999 and entered in the central registry is considered a central registry case if that case meets the criteria under section 8(3)(a), (b), or (c).

(5) As used in this section, “child care center”, “child caring institution”, and “child placing agency” mean those terms as defined in section 1 of 1973 PA 116, MCL 722.111.



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Clerk of the House of Representatives.



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Secretary of the Senate.

Approved

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Governor.