

HOUSE BILL NO. 4597

May 15, 2019, Introduced by Rep. Reilly and referred to the Committee on Regulatory Reform.

A bill to amend 1979 PA 218, entitled
"Adult foster care facility licensing act,"
by amending section 16 (MCL 400.716).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 16. (1) Unless the city, village, or township approves a
- 2 temporary license, a temporary license shall not be granted under
- 3 this act if ~~the issuance of~~ **issuing** the license would substantially
- 4 contribute to an excessive concentration of community residential
- 5 facilities within a city, village, or township of this state.



(2) A temporary license shall not be granted under this act if the proposed adult foster care facility for more than 6 adults has not obtained zoning approval or obtained a special or conditional use permit if required by an ordinance of the city, village, or township in which the proposed facility is located.

~~(3) The department shall not issue a temporary license to an adult foster care facility which does not comply with section 16a of Act No. 183 of the Public Acts of 1943, as amended, being section 125.216a of the Michigan Compiled Laws, section 16a of Act No. 184 of the Public Acts of 1943, as amended, being section 125.286a of the Michigan Compiled Laws, and section 3b of Act No. 207 of the Public Acts of 1921, as amended, being section 125.583b of the Michigan Compiled Laws.~~

(3) ~~(4)~~ This section ~~shall~~ **does** not apply to an applicant who has purchased a facility and the facility, at the time of the purchase, or for 1 year preceding the application, was licensed under this act or an act repealed by this act.

(4) As used in this section, "excessive concentration" means 1 of the following:

(a) More than 1 community residential facility within 200 feet of each other.

(b) More than 2 community residential facilities within 500 feet of each other.

(c) Any other concentration that the city, village, or township considers excessive.

