

SENATE BILL NO. 480

July 17, 2025, Introduced by Senators CHANG, CAVANAGH, GEISS, SANTANA and BAYER
and referred to Committee on Housing and Human Services.

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,"

by amending section 1 (MCL 722.111), as amended by 2024 PA 50.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) As used in this act:

2 ~~(a) "Child care staff member" means an individual who is 16~~
3 ~~years of age or older to whom 1 or more of the following apply:~~

~~(i) The individual is employed by a child care center, group child care home, or family child care home for compensation, including a contract employee or a self-employed individual.~~

~~(ii) An individual whose activities involve the unsupervised care or supervision of children for a child care center, group child care home, or family child care home.~~

~~(iii) An individual who has unsupervised access to children who are cared for or supervised by a child care center, group child care home, or family child care home.~~

~~(iv) An individual who acts in the role of a licensee designee or program director.~~

(a) "Child care center" means a facility, other than a private residence, receiving 1 or more children under 13 years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center. Child care center does not include any of the following:

(i) A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are attending for not more than 3 hours per day for an indefinite period or for not more than 8 hours per day for a period not to exceed 4 weeks during a 12-month period.

(ii) A facility operated by a religious organization where children are in the religious organization's care for not more than 3 hours while individuals responsible for the children are

1 attending religious services.

2 (iii) A program that is primarily supervised, school-age-child-
3 focused training in a specific subject, including, but not limited
4 to, dancing, drama, music, or religion. This exclusion applies only
5 to the time a child is involved in supervised, school-age-child-
6 focused training.

7 (iv) A program that is primarily an incident of group athletic
8 or social activities for school-age children sponsored by or under
9 the supervision of an organized club or hobby group, including, but
10 not limited to, youth clubs, scouting, and school-age recreational
11 or supplementary education programs. This exclusion applies only to
12 the time the school-age child is engaged in the group athletic or
13 social activities and if the school-age child can come and go at
14 will.

15 (v) A program that primarily provides therapeutic services to
16 a child.

17 (b) "Child care organization" means a governmental or
18 nongovernmental organization having as its principal function
19 receiving minor children for care, maintenance, training, and
20 supervision, notwithstanding that educational instruction may be
21 given. Child care organization includes organizations commonly
22 described as child caring institutions, child placing agencies,
23 children's camps, children's campsites, children's therapeutic
24 group homes, child care centers, day care centers, nursery schools,
25 parent cooperative preschools, foster homes, group homes, or child
26 care homes. Child care organization does not include a governmental
27 or nongovernmental organization that does either of the following:

28 (i) Provides care exclusively to minors who have been
29 emancipated by court order under section 4(3) of 1968 PA 293, MCL

1 722.4.

2 (ii) Provides care exclusively to individuals who are 18 years
3 of age or older and to minors who have been emancipated by court
4 order under section 4(3) of 1968 PA 293, MCL 722.4, at the same
5 location.

6 (c) "Child care staff member" means an individual who is 16
7 years of age or older to whom 1 or more of the following apply:

8 (i) The individual is employed by a child care center, group
9 child care home, or family child care home for compensation,
10 including a contract employee or a self-employed individual.

11 (ii) The individual's activities involve the unsupervised care
12 or supervision of children for a child care center, group child
13 care home, or family child care home.

14 (iii) The individual has unsupervised access to children who are
15 cared for or supervised by a child care center, group child care
16 home, or family child care home.

17 (iv) The individual acts in the role of a licensee designee or
18 program director.

19 (d) ~~(e)~~—"Child caring institution" means a child care facility
20 that is organized for the purpose of receiving minor children for
21 care, maintenance, and supervision, usually on a 24-hour basis, in
22 buildings maintained by the child caring institution for that
23 purpose, and operates throughout the year. An educational program
24 may be provided, but the educational program must not be the
25 primary purpose of the facility. Child caring institution includes
26 a maternity home for the care of unmarried mothers who are minors
27 and an agency group home, that is described as a small child caring
28 institution, owned, leased, or rented by a licensed agency
29 providing care for more than 4 but less than 13 minor children.

1 Child caring institution also includes an institution for
2 developmentally disabled or emotionally disturbed minor children.
3 Child caring institution does not include a hospital, nursing home,
4 or home for the aged licensed under article 17 of the public health
5 code, 1978 PA 368, MCL 333.20101 to 333.22260, a boarding school
6 licensed under section 1335 of the revised school code, 1976 PA
7 451, MCL 380.1335, a hospital or facility operated by the state or
8 licensed under the mental health code, 1974 PA 258, MCL 330.1001 to
9 330.2106, or an adult foster care family home or an adult foster
10 care small group home licensed under the adult foster care facility
11 licensing act, 1979 PA 218, MCL 400.701 to 400.737, in which a
12 child has been placed under section 5(6).

13 (e) ~~(d)~~—"Child caring institution staff member" means an
14 individual who is 18 years of age or older to whom 1 or more of the
15 following apply:

16 (i) The individual is employed by a child caring institution
17 for compensation, including an adult who does not work directly
18 with children.

19 (ii) The individual is a contract employee or self-employed
20 individual with a child caring institution.

21 (iii) The individual is an intern or other individual who
22 provides specific services under the rules promulgated under this
23 act.

24 (f) ~~(e)~~—"Child placing agency" means a governmental
25 organization or an agency organized under the nonprofit corporation
26 act, 1982 PA 162, MCL 450.2101 to 450.3192, for the purpose of
27 receiving children for placement in private family homes for foster
28 care or for adoption. The function of a child placing agency may
29 include investigating applicants for adoption and investigating and

certifying foster family homes and foster family group homes as provided in this act. The function of a child placing agency may also include supervising children who are at least 16 but less than 21 years of age and who are living in unlicensed residences as provided in section 5(4).

(g) ~~(f)~~—"Children's camp" means a residential, day, troop, or travel camp that provides care and supervision and is conducted in a natural environment for more than 4 children, apart from the children's parents, relatives, or legal guardians, for 5 or more days in a 14-day period.

(h) ~~(g)~~—"Children's campsite" means the outdoor setting where a children's residential or day camp is located.

(i) ~~(h)~~—"Children's therapeutic group home" means a child caring institution receiving children who are diagnosed with a developmental disability as defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a, or a serious emotional disturbance as defined in section 100d of the mental health code, 1974 PA 258, MCL 330.1100d, and that meets all of the following requirements:

(i) Provides care, maintenance, and supervision, usually on a 24-hour basis.

(ii) Has a capacity of not more than 6 children.

(iii) Complies with the rules for child caring institutions. Emergency safety intervention in the form of physical management is allowed but must comply with the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, and associated administrative rules.

(iv) Is not a private home.

(v) Is not located on a campus with other licensed facilities.

~~(i) "Child care center" means a facility, other than a private~~

~~residence, receiving 1 or more children under 13 years of age for care for periods of less than 24 hours a day, where the parents or guardians are not immediately available to the child. Child care center includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before or after school program, or drop-in center. Child care center does not include any of the following:~~

~~(i) A Sunday school, a vacation bible school, or a religious instructional class that is conducted by a religious organization where children are attending for not more than 3 hours per day for an indefinite period or for not more than 8 hours per day for a period not to exceed 4 weeks during a 12 month period.~~

~~(ii) A facility operated by a religious organization where children are in the religious organization's care for not more than 3 hours while individuals responsible for the children are attending religious services.~~

~~(iii) A program that is primarily supervised, school-age child-focused training in a specific subject, including, but not limited to, dancing, drama, music, or religion. This exclusion applies only to the time a child is involved in supervised, school-age child-focused training.~~

~~(iv) A program that is primarily an incident of group athletic or social activities for school-age children sponsored by or under the supervision of an organized club or hobby group, including, but not limited to, youth clubs, scouting, and school-age recreational or supplementary education programs. This exclusion applies only to the time the school-age child is engaged in the group athletic or~~

1 ~~social activities and if the school-age child can come and go at~~
2 ~~will.~~

3 ~~(v) A program that primarily provides therapeutic services to~~
4 ~~a child.~~

5 (j) "Conviction" means a final conviction, the payment of a
6 fine, a plea of guilty or nolo contendere if accepted by the court,
7 a finding of guilt for a criminal law violation or a juvenile
8 adjudication or disposition by the juvenile division of probate
9 court or family division of circuit court for a violation that if
10 committed by an adult would be a crime, or a conviction in a tribal
11 court or a military court.

12 (k) "Criminal history check" means a fingerprint-based
13 criminal history record information background check through the
14 department of state police and the Federal Bureau of Investigation.

15 (l) "Criminal history record information" means that term as
16 defined in section 1a of 1925 PA 289, MCL 28.241a.

17 (m) "Department" means the department of **lifelong education,**
18 **advancement, and potential, the department of** health and human
19 services, and the department of licensing and regulatory affairs or
20 a successor agency or department responsible for licensure under
21 this act. The department of ~~licensing and regulatory affairs~~
22 **lifelong education, advancement, and potential** is responsible for
23 licensing and regulatory matters for child care centers, group
24 child care homes, family child care homes, children's camps, and
25 children's campsites. The department of health and human services
26 is responsible for licensing and regulatory matters for child
27 caring institutions, child placing agencies, children's therapeutic
28 group homes, foster family homes, and foster family group homes.

29 (n) "Drinking fountain" means a plumbing fixture that is

1 connected to the potable water distribution system and drainage
2 system that allows the user to obtain a drink directly from a
3 stream of flowing water without the use of any accessory.

4 (o) "Eligible" means that the individual obtained the checks
5 and clearances described in sections 5n and 5q and is considered
6 appropriate to obtain a license, to be a member of the household of
7 a group child care home or family child care home, or to be a child
8 care staff member.

9 (p) "Faucet" means a valve end of a water pipe by which water
10 is drawn from or held within the pipe.

11 (q) "Filtered bottle-filling station" or "station" means an
12 apparatus that meets all of the following requirements:

13 (i) Is connected to customer site piping.

14 (ii) Filters water and is certified to meet NSF/ANSI standard
15 53 for lead reduction and NSF/ANSI standard 42 for particulate
16 removal.

17 (iii) The flow rate through the station is paired to the
18 specified flow rate of the filter cartridge.

19 (iv) Has a light or other device to indicate filter cartridge
20 replacement status.

21 (v) Is designed to fill drinking bottles or other containers
22 for personal water consumption.

23 (vi) Includes a drinking fountain.

24 (r) "Filtered faucet" means a faucet that at the point of use
25 includes a filter that is certified to meet NSF/ANSI standard 53
26 for lead reduction and NSF/ANSI standard 42 for particulate
27 removal.

28 (s) "Filtered pitcher" means a container used for holding and
29 pouring liquids that at the point of use includes a filter that is

1 certified to meet NSF/ANSI standard 53 for lead reduction and
2 NSF/ANSI standard 42 for particulate removal.

3 (t) "Guardian" means that term as defined under section 1104
4 of the estates and protected individuals code, 1998 PA 386, MCL
5 700.1104.

6 (u) "Increased capacity" means 1 additional child added to the
7 total number of minor children received for care and supervision in
8 a family child care home or 2 additional children added to the
9 total number of minor children received for care and supervision in
10 a group child care home.

11 (v) ~~(t)~~ "Ineligible" means that the individual obtained the
12 checks and clearances as described in sections 5n and 5q and is not
13 considered appropriate to obtain a license, to be a member of the
14 household of a group child care home or family child care home, or
15 to be a child care staff member due to violation of section 5n, 5q,
16 or 5r.

17 ~~(u) "Increased capacity" means 1 additional child added to the~~
18 ~~total number of minor children received for care and supervision in~~
19 ~~a family child care home or 2 additional children added to the~~
20 ~~total number of minor children received for care and supervision in~~
21 ~~a group child care home.~~

22 ~~(v) "Private home" means a private residence in which the~~
23 ~~licensee permanently resides, which residency is not contingent~~
24 ~~upon caring for children or employment by a child placing agency.~~
25 ~~Private home includes a full-time foster family home, a full-time~~
26 ~~foster family group home, a group child care home, or a family~~
27 ~~child care home, as follows:~~

28 ~~(i) "Foster family home" means the private home of an~~
29 ~~individual who is licensed to provide 24-hour care for 1 but not~~

~~1 more than 4 minor children who are placed away from their parent,~~
~~2 legal guardian, or legal custodian in foster care. The licensed~~
~~3 individual providing care is required to comply with the reasonable~~
~~4 and prudent parenting standard as defined in section 1 of chapter~~
~~5 XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1.~~

~~6 (ii) "Foster family group home" means the private home of an~~
~~7 individual who has been licensed by the department to provide 24-~~
~~8 hour care for more than 4 but fewer than 7 minor children who are~~
~~9 placed away from their parent, legal guardian, or legal custodian~~
~~10 in foster care. The licensed individual providing care is required~~
~~11 to comply with the reasonable and prudent parenting standard as~~
~~12 defined in section 1 of chapter XIIIA of the probate code of 1939,~~
~~13 1939 PA 288, MCL 712A.1.~~

~~14 (iii) "Family child care home" means a private home in which 1~~
~~15 but fewer than 7 minor children are received for care and~~
~~16 supervision for compensation for periods of less than 24 hours a~~
~~17 day, unattended by a parent or legal guardian, except children~~
~~18 related to an adult member of the household. Family child care home~~
~~19 includes a home in which care is given to an unrelated minor child~~
~~20 for more than 4 weeks during a calendar year. A family child care~~
~~21 home does not include an individual providing babysitting services~~
~~22 for another individual. As used in this subparagraph, "providing~~
~~23 babysitting services" means caring for a child on behalf of the~~
~~24 child's parent or guardian if the annual compensation for providing~~
~~25 those services does not equal or exceed \$600.00 or an amount that~~
~~26 would according to the internal revenue code of 1986 obligate the~~
~~27 child's parent or guardian to provide a form 1099-MISC to the~~
~~28 individual for compensation paid during the calendar year for those~~
~~29 services. Family child care home includes a private home with~~

1 ~~increased capacity.~~

2 ~~(iv) "Group child care home" means a private home in which more~~
3 ~~than 6 but not more than 12 minor children are given care and~~
4 ~~supervision for periods of less than 24 hours a day unattended by a~~
5 ~~parent or legal guardian, except children related to an adult~~
6 ~~member of the household. Group child care home includes a home in~~
7 ~~which care is given to an unrelated minor child for more than 4~~
8 ~~weeks during a calendar year. Group child care home includes a~~
9 ~~private home with increased capacity.~~

10 (w) "Legal custodian" means an individual who is at least 18
11 years of age in whose care a minor child remains or is placed after
12 a court makes a finding under section 13a(5) of chapter XIIIA of the
13 probate code of 1939, 1939 PA 288, MCL 712A.13a.

14 (x) "Legal entity" means a sole proprietorship, partnership,
15 corporation, limited liability company, or any other entity.

16 (y) "Licensee" means a person, legal entity organized under a
17 law of this state, state or local government, or trust that has
18 been issued a license under this act to operate a child care
19 organization.

20 **(z) "Licensee designee" means the individual designated in**
21 **writing by the board of directors of the corporation or by the**
22 **owner or person with legal authority to act on behalf of the**
23 **company or organization on licensing matters. The individual must**
24 **agree in writing to be designated as the licensee designee. All**
25 **license applications must be signed by the licensee in the case of**
26 **the individual or by a member of the corporation, company, or**
27 **organization.**

28 **(aa) ~~(z)~~ "Listed offense" means that term as defined in**
29 **section 2 of the sex offenders registration act, 1994 PA 295, MCL**

1 28.722.

2 **(bb)** ~~(aa)~~—"Member of the household" means any individual who
3 resides in a family child care home, group child care home, foster
4 family home, or foster family group home on an ongoing basis, or
5 who has a recurrent presence in the home, including, but not
6 limited to, overnight stays. For foster family homes and foster
7 family group homes, a member of the household does not include a
8 foster child. For group child care homes and family child care
9 homes, a member of the household does not include a child to whom
10 child care is being provided.

11 **(cc)** "Minor child" means any of the following:

12 **(i)** An individual less than 18 years of age.

13 **(ii)** An individual who is a resident in a child caring
14 institution, foster family home, or foster family group home, who
15 is at least 18 but less than 21 years of age, and who is an
16 individual who meets the requirements of the young adult voluntary
17 foster care act, 2011 PA 225, MCL 400.641 to 400.671.

18 **(iii)** An individual who is a resident in a child caring
19 institution, children's camp, foster family home, or foster family
20 group home; who becomes 18 years of age while residing in a child
21 caring institution, children's camp, foster family home, or foster
22 family group home; and who continues residing in a child caring
23 institution, children's camp, foster family home, or foster family
24 group home to receive care, maintenance, training, and supervision.

25 **(iv)** An individual 18 years of age or older who is placed in an
26 unlicensed residence under section 5(4) or a foster family home
27 under section 5(7).

28 **(v)** A person 18 years of age or older following an
29 adjudication under section 2(a) of chapter XIIA of the probate code

1 of 1939, 1939 PA 288, MCL 712A.2, or a conviction under section 1
2 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL
3 769.1.

4 (dd) ~~(bb)~~—"Original license" means a license issued to a child
5 care organization during the first 6 months of operation indicating
6 that the organization is in compliance with all rules promulgated
7 by the department under this act.

8 (ee) "Private home" means a private residence in which the
9 licensee permanently resides, which residency is not contingent on
10 caring for children or employment by a child placing agency.
11 Private home includes a full-time foster family home, a full-time
12 foster family group home, a group child care home, or a family
13 child care home, as follows:

14 (i) "Family child care home" means a private home in which 1
15 but fewer than 7 minor children are received for care and
16 supervision for compensation for periods of less than 24 hours a
17 day, unattended by a parent or legal guardian, except children
18 related to an adult member of the household. Family child care home
19 includes a home in which care is given to an unrelated minor child
20 for more than 4 weeks during a calendar year. A family child care
21 home does not include an individual providing babysitting services
22 for another individual. As used in this subparagraph, "providing
23 babysitting services" means caring for a child on behalf of the
24 child's parent or guardian if the annual compensation for providing
25 those services does not equal or exceed \$600.00 or an amount that
26 would, according to the internal revenue code of 1986, obligate the
27 child's parent or guardian to provide a form 1099-MISC to the
28 individual for compensation paid during the calendar year for those
29 services. Family child care home includes a private home with

1 increased capacity.

2 (ii) "Foster family group home" means the private home of an
3 individual who has been licensed by the department to provide 24-
4 hour care for more than 4 but fewer than 7 minor children who are
5 placed away from their parent, legal guardian, or legal custodian
6 in foster care. The licensed individual providing care is required
7 to comply with the reasonable and prudent parenting standard as
8 defined in section 1 of chapter XIIIA of the probate code of 1939,
9 1939 PA 288, MCL 712A.1.

10 (iii) "Foster family home" means the private home of an
11 individual who is licensed to provide 24-hour care for 1 but not
12 more than 4 minor children who are placed away from their parent,
13 legal guardian, or legal custodian in foster care. The licensed
14 individual providing care is required to comply with the reasonable
15 and prudent parenting standard as defined in section 1 of chapter
16 XIIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1.

17 (iv) "Group child care home" means a private home in which more
18 than 6 but not more than 12 minor children are given care and
19 supervision for periods of less than 24 hours a day unattended by a
20 parent or legal guardian, except children related to an adult
21 member of the household. Group child care home includes a home in
22 which care is given to an unrelated minor child for more than 4
23 weeks during a calendar year. Group child care home includes a
24 private home with increased capacity.

25 (ff) ~~(ee)~~—"Provisional license" means a license issued to a
26 child care organization that is temporarily unable to conform to
27 the rules promulgated under this act.

28 (gg) ~~(dd)~~—"Psychiatric residential treatment facility" or
29 "PRTF" means a facility other than a hospital that provides

1 psychiatric services, as described in 42 CFR 441.150 to 441.184, in
2 an inpatient setting to individuals under the age of 21. Emergency
3 safety intervention in the form of physical management is allowed
4 but must comply with the mental health code, 1974 PA 258, MCL
5 330.1001 to 330.2106, and associated administrative rules.

6 **(hh)** ~~(ee)~~—"Qualified residential treatment program" or "QRTP"
7 means a program within a child caring institution to which all of
8 the following apply:

9 (i) The program has a trauma-informed treatment model,
10 evidenced by the inclusion of trauma awareness, knowledge, and
11 skills into the program's culture, practices, and policies.

12 (ii) The program has registered or licensed nursing and other
13 licensed clinical staff on-site or available 24 hours a day, 7 days
14 a week, who provide care in the scope of their practice as provided
15 in parts 170, 172, 181, 182, 182A, and 185 of the public health
16 code, 1978 PA 368, MCL 333.17001 to 333.17097, 333.17201 to
17 333.17242, 333.18101 to 333.18117, 333.18201 to 333.18237,
18 333.18251 to 333.18267, and 333.18501 to 333.18518.

19 (iii) The program integrates families into treatment, including
20 maintaining sibling connections.

21 (iv) The program provides aftercare services for at least 6
22 months post discharge.

23 (v) The program is accredited by an independent not-for-profit
24 organization as described in 42 USC 672(k)(4)(G).

25 (vi) The program does not include a detention facility,
26 forestry camp, training school, or other facility operated
27 primarily for detaining minor children who are determined to be
28 delinquent.

29 **(ii)** ~~(ff)~~—"Regular license" means a license issued to a child

1 care organization indicating that the organization is in
 2 substantial compliance with all rules promulgated under this act
 3 and, if there is a deficiency, has entered into a corrective action
 4 plan.

5 ~~(gg) "Guardian" means the individual's guardian.~~

6 ~~(hh) "Minor child" means any of the following:~~

7 ~~(i) An individual less than 18 years of age.~~

8 ~~(ii) An individual who is a resident in a child caring~~
 9 ~~institution, foster family home, or foster family group home, who~~
 10 ~~is at least 18 but less than 21 years of age, and who meets the~~
 11 ~~requirements of the young adult voluntary foster care act, 2011 PA~~
 12 ~~225, MCL 400.641 to 400.671.~~

13 ~~(iii) An individual who is a resident in a child caring~~
 14 ~~institution, children's camp, foster family home, or foster family~~
 15 ~~group home; who becomes 18 years of age while residing in a child~~
 16 ~~caring institution, children's camp, foster family home, or foster~~
 17 ~~family group home; and who continues residing in a child caring~~
 18 ~~institution, children's camp, foster family home, or foster family~~
 19 ~~group home to receive care, maintenance, training, and supervision.~~
 20 ~~A minor child under this subparagraph does not include an~~
 21 ~~individual 18 years of age or older who is placed in a child caring~~
 22 ~~institution, foster family home, or foster family group home under~~
 23 ~~an adjudication under section 2(a) of chapter XIIIA of the probate~~
 24 ~~code of 1939, 1939 PA 288, MCL 712A.2, or under section 1 of~~
 25 ~~chapter IX of the code of criminal procedure, 1927 PA 175, MCL~~
 26 ~~769.1. This subparagraph applies only if the number of those~~
 27 ~~residents who become 18 years of age does not exceed the following:~~

28 ~~(A) Two, if the total number of residents is 10 or fewer.~~

29 ~~(B) Three, if the total number of residents is not less than~~

1 ~~11 and not more than 14.~~

2 ~~(C) Four, if the total number of residents is not less than 15~~
 3 ~~and not more than 20.~~

4 ~~(D) Five, if the total number of residents is 21 or more.~~

5 ~~(iv) An individual 18 years of age or older who is placed in an~~
 6 ~~unlicensed residence under section 5(4) or a foster family home~~
 7 ~~under section 5(7).~~

8 **(jj)** ~~(ii)~~ "Related" means 1 of the following:

9 (i) Except as provided in subparagraph (ii), a relative as
 10 defined in section 13a of chapter XIIA of the probate code of 1939,
 11 1939 PA 288, MCL 712A.13a.

12 (ii) For licensing by the department related to a child care
 13 center, children's camp, children's campsite, family child care
 14 home, foster family home, foster family group home, or group child
 15 care home, in the relationship by blood, marriage, or adoption, as
 16 parent, grandparent, great-grandparent, great-great-grandparent,
 17 aunt or uncle, great-aunt or great-uncle, great-great-aunt or
 18 great-great-uncle, sibling, stepsibling, nephew or niece, first
 19 cousin or first cousin once removed, and the spouse of any of the
 20 individuals described in this definition, even after the marriage
 21 has ended by death or divorce.

22 **(kk)** ~~(jj)~~ "Religious organization" means a church,
 23 ecclesiastical corporation, or group, not organized for pecuniary
 24 profit, that gathers for mutual support and edification in piety or
 25 worship of a supreme deity.

26 **(ll)** ~~(kk)~~ "School-age child" means a child who is eligible to
 27 attend a grade of kindergarten or higher, but is less than 13 years
 28 of age. A child is considered to be a school-age child on the first
 29 day of the school year in which the child is eligible to attend

1 school.

2 (mm) ~~(//)~~ "Severe physical injury" means serious physical harm
3 as that term is defined in section 136b of the Michigan penal code,
4 1931 PA 328, MCL 750.136b.

5 ~~(mm) "Licensee designee" means the individual designated in~~
6 ~~writing by the board of directors of the corporation or by the~~
7 ~~owner or person with legal authority to act on behalf of the~~
8 ~~company or organization on licensing matters. The individual must~~
9 ~~agree in writing to be designated as the licensee designee. All~~
10 ~~license applications must be signed by the licensee in the case of~~
11 ~~the individual or by a member of the corporation, company, or~~
12 ~~organization.~~

13 (nn) "Water delivery service" means a service that delivers
14 drinking water to a child care center and provides drinking water
15 that meets the standards of the safe drinking water act, 42 USC
16 300f to 300j-25.

17 (2) A family child care home or group child care home is
18 automatically eligible for increased capacity after satisfying all
19 of the following criteria:

20 (a) Holds a current license.

21 (b) Has been licensed to operate for at least 29 consecutive
22 months.

23 (c) Has received 1 or more unrelated minor children for care
24 and supervision during the licensed period under subdivision (b).

25 (d) Has received a renewed regular license after at least 29
26 months of licensed operation under subdivision (b).

27 (3) The department may rescind increased capacity due to 1 or
28 more of the following:

29 (a) Corrective action.

1 (b) Licensing action.

2 (c) Determination by the department that increased capacity is
3 not conducive to the welfare of children as that term is defined in
4 section 5m.

5 (4) If the department rescinds increased capacity as outlined
6 in subsection (3), the family child care home or group child care
7 home may be considered for increased capacity not less than 22
8 months after rescinding increased capacity in a form and manner
9 determined by the department.

10 (5) A family child care home or group child care home may
11 appeal rescission of increased capacity under a hearing held in the
12 manner provided under section 11(2).