

# HOUSE BILL NO. 5127

October 23, 2025, Introduced by Reps. Schuette, Wozniak, Johnsen, Bierlein, DeBoyer, Woolford and Harris and referred to Committee on Rules.

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 8e (MCL 722.118e), as added by 2022 PA 113.

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

1           Sec. 8e. (1) ~~Within 90 days after the effective date of this~~  
2 ~~section,~~ **Not later than September 21, 2022**, a child care center  
3 that is currently licensed and located in a multiple occupancy

1 building shall, in a form and manner as prescribed by the  
2 department, notify the department if there has been any change in  
3 occupancy or use by occupants within the building since its license  
4 was issued. Beginning ~~90 days after the effective date of this~~  
5 ~~section,~~ **September 21, 2022**, the department shall require each  
6 applicant seeking licensure as a child care center within a  
7 multiple occupancy building to clearly state on the application  
8 that it will be located within a multiple occupancy building and  
9 describe the nature and character of each of the other occupants  
10 and the occupant use within that multiple occupancy building.

11 (2) Before issuing or renewing a license or provisional  
12 license under this act to a child care center located within a  
13 multiple occupancy building, the department shall inspect the  
14 location to verify that reasonable mitigation measures are in place  
15 to protect the health, safety, and well-being of children who are  
16 under the care of the child care center. As a condition of  
17 licensure for a child care center located within a multiple  
18 occupancy building, the department may require the child care  
19 center to do all of the following:

20 (a) Use reasonable measures to mitigate any significant risk  
21 associated with other occupants within the multiple occupancy  
22 building.

23 (b) Ensure the child care center is self-contained, with  
24 bathrooms located within the child care center.

25 (c) Secure the child care center against unauthorized entry  
26 during hours of operation.

27 (d) Ensure the child care center is separated from hazardous  
28 operations.

29 (e) If alcohol is served within the multiple occupancy

1 building, ensure that alcohol is not transported or consumed within  
2 the child care center during hours of child care center operation.

3 (f) If an outdoor area is available and shared, ensure that  
4 there is a set schedule to keep the children separate from other  
5 occupants of that building.

6 (g) Satisfy any other reasonable staffing, program, or  
7 operational requirements that the department determines are  
8 necessary to protect children within the care of that child care  
9 center from any serious risk of harm that may stem from being  
10 located within a multiple occupancy building.

11 (h) Require the licensee to notify the department within 90  
12 days of a change of occupants or occupant use within that building.

13 (3) The child care center hours of operation do not determine  
14 the hours of operation for the other occupants of a multiple  
15 occupancy building, including, but not limited to, occupants that  
16 serve alcohol.

17 **(4) This section does not permit the department to regulate**  
18 **any of the occupants of the multiple occupancy building that is not**  
19 **a child care center or portions of the multiple occupancy building**  
20 **that is not used as a child care center.**

21 (5) ~~(4)~~R 400.8560 of the Michigan Administrative Code is  
22 rescinded.