

# HOUSE BILL No. 5114

September 28, 1989, Introduced by Reps. Stabenow, Hollister, Wallace, Gubow, DeLange, Ciaramitaro and Leland and referred to the Committee on Mental Health.

A bill to amend sections 16 and 32 of Act No. 218 of the Public Acts of 1979, entitled  
"Adult foster care facility licensing act,"  
being sections 400.716 and 400.732 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 16 and 32 of Act No. 218 of the Public  
2 Acts of 1979, being sections 400.716 and 400.732 of the Michigan  
3 Compiled Laws, are amended to read as follows:

4 Sec. 16. ~~-(1) Unless the city, village, or township~~  
5 ~~approves a temporary license, a temporary license shall not be~~  
6 ~~granted under this act if the issuance of the license would sub-~~  
7 ~~stantially contribute to an excessive concentration of community~~  
8 ~~residential facilities within a city, village, or township of~~  
9 ~~this state.~~

1       ~~(2)~~ A temporary license shall not be granted under this  
 2 act FOR AN ADULT FOSTER CARE FACILITY FOR MORE THAN 6 ADULTS if  
 3 the proposed adult foster care facility ~~for more than 6 adults~~  
 4 has not obtained zoning approval or obtained a special or condi-  
 5 tional use permit THAT IS CONSISTENT WITH FEDERAL LAW if required  
 6 by an ordinance of the city, village, or township in which the  
 7 proposed facility is located.

8       ~~(3) The department shall not issue a temporary license to~~  
 9 ~~an adult foster care facility which does not comply with section~~  
 10 ~~16a of Act No. 183 of the Public Acts of 1943, as amended, being~~  
 11 ~~section 125.216a of the Michigan Compiled Laws, section 16a of~~  
 12 ~~Act No. 184 of the Public Acts of 1943, as amended, being sec-~~  
 13 ~~tion 125.286a of the Michigan Compiled Laws, and section 3b of~~  
 14 ~~Act No. 207 of the Public Acts of 1921, as amended, being sec-~~  
 15 ~~tion 125.583b of the Michigan Compiled Laws.~~

16       ~~(4) This section shall not apply to an applicant who has~~  
 17 ~~purchased a facility and the facility, at the time of the pur-~~  
 18 ~~chase, or for 1 year preceding the application, was licensed~~  
 19 ~~under this act or an act repealed by this act.~~

20       Sec. 32. ~~(1) The department shall notify the clerk of the~~  
 21 ~~city, village, or township where a proposed adult foster care~~  
 22 ~~facility is to be located at least 45 days before the issuance of~~  
 23 ~~a license.~~

24       (1) ~~(2)~~ The department shall notify the clerk of the city,  
 25 village, or township of all newly licensed adult foster care  
 26 facilities within 30 days after the issuance of a license.

1       (2) ~~-(3)-~~ The department shall notify the clerk of the city,  
2 village, or township of the location of all licensed adult foster  
3 care facilities within the boundaries of that city, village, or  
4 township within 30 days after receipt of the request.

5       Section 2. This amendatory act shall not take effect unless  
6 all of the following bills of the 85th Legislature are enacted  
7 into law:

8       (a) Senate Bill No. \_\_\_\_ or House Bill No. 5111 (request  
9 no. 03701'89).

10       (b) Senate Bill No. \_\_\_\_ or House Bill No. 5109 (request  
11 no. 03702'89).

12       (c) Senate Bill No. \_\_\_\_ or House Bill No. 5112 (request  
13 no. 03703'89).

14       (d) Senate Bill No. \_\_\_\_ or House Bill No. 5113 (request  
15 no. 03704'89).

16       (e) Senate Bill No. \_\_\_\_ or House Bill No. 5110 (request  
17 no. 03706'89).