

SENATE BILL No. 614

June 16, 2005, Introduced by Senators HAMMERSTROM, BIRKHOLZ and GOSCHKA and referred to the Committee on Families and Human Services.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding sections 5d and 5e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5D. (1) BEFORE A CHILD CARE CENTER OR DAY CARE CENTER
2 MAKES AN OFFER OF EMPLOYMENT TO A PERSON OR ALLOWS A PERSON TO
3 REGULARLY AND CONTINUOUSLY WORK UNDER CONTRACT AT THE CHILD CARE
4 CENTER OR DAY CARE CENTER, THE CHILD CARE CENTER OR DAY CARE CENTER
5 SHALL PERFORM A BACKGROUND CHECK ON THAT PERSON USING THE
6 DEPARTMENT OF STATE POLICE'S INTERNET CRIMINAL HISTORY ACCESS TOOL
7 (ICCHAT).

8 (2) IF A SEARCH OF ICHAT REVEALS THAT THE PERSON DESCRIBED IN
9 SUBSECTION (1) HAS BEEN CONVICTED OF A LISTED OFFENSE, THE CHILD
10 CARE CENTER OR DAY CARE CENTER SHALL NOT MAKE AN OFFER OF

1 EMPLOYMENT TO THAT PERSON OR ALLOW THAT PERSON TO REGULARLY AND
2 CONTINUOUSLY WORK UNDER CONTRACT AT THE CHILD CARE CENTER OR DAY
3 CARE CENTER.

4 SEC. 5E. (1) AN EMPLOYEE OF A CHILD CARE CENTER OR DAY CARE
5 CENTER SHALL REPORT TO THAT CHILD CARE CENTER OR DAY CARE CENTER
6 WITHIN 7 DAYS AFTER HE OR SHE HAS BEEN CHARGED WITH A CRIME LISTED
7 IN SECTION 1535A OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL
8 380.1535A.

9 (2) IF A PERSON DESCRIBED IN SUBSECTION (1) DOES NOT REPORT TO
10 THE CHILD CARE CENTER OR DAY CARE CENTER AS REQUIRED IN THIS
11 SECTION, THAT PERSON IS GUILTY OF EITHER OF THE FOLLOWING:

12 (A) IF THE CRIME WITH WHICH THE PERSON IS CHARGED BUT DID NOT
13 REPORT IS A FELONY, THAT PERSON IS GUILTY OF A FELONY PUNISHABLE BY
14 IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE PUNISHABLE BY NOT
15 MORE THAN \$2,000.00.

16 (B) IF THE CRIME WITH WHICH THE PERSON IS CHARGED BUT DID NOT
17 REPORT IS ANY CRIME REQUIRED TO BE REPORTED BY THIS SECTION OTHER
18 THAN A MISDEMEANOR, THAT PERSON IS GUILTY OF A MISDEMEANOR
19 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF
20 NOT MORE THAN \$1,000.00.

21 Enacting section 1. This amendatory act does not take effect
22 unless Senate Bill No. 615

23 of the 93rd Legislature is enacted into law.