

FAMILY LAW SECTION

Respectfully submits the following position on:

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HB 4023

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Family Law Section is 3,086.

The position was adopted after a discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor of this position was 19. The number who voted opposed to this position was 0.

Report on Public Policy Position**Name of Section:**

Family Law Section

Contact person:

Kent Weichmann

E-Mail:weichmannk@att.net**Bill Number:**

[HB 4023](#) (Kosowski) Children; child care; limitation on allowable hours per day a child can be left at a child care center, group child care home, or family child care home; provide for. Amends [1973 PA 116](#) (MCL [722.111](#) - [722.128](#)) by adding sec. 1b.

Date position was adopted:

March 7, 2015

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

19 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote (absent)

Position:

Oppose

Explanation of the position, including any recommended amendments:

This bill would amend the statutes licensing and regulating child care organizations to add a section prohibiting parents from leaving a child in child care for more than 11 consecutive hours, unless that parent's employer requires him to work for more than an 11 hour period.

Besides the general concern with the legislature interfering with parenting decisions, a prohibition directed towards parents should not be placed in a child care licensing and regulation act. The bill has no clear enforcement provision: would the child care provider have to evict the child after 11 hours? How will the child care provider know if the parent's employer requires them to work more than 11 hours? Does commuting time count? How would this apply to self-employed parents? If parents have a medical emergency should they have to rely on unlicensed care? The Family Law Section opposes this bill.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2015-HB-4023>