

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6787

BILL NUMBER: SB 253

NOTE PREPARED: Feb 27, 2024

BILL AMENDED: Feb 22, 2024

SUBJECT: Lake Michigan Rescue Equipment.

FIRST AUTHOR: Sen. Pol

FIRST SPONSOR: Rep. Pressel

BILL STATUS: As Passed House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires the owner of a pier or public access site on Lake Michigan to install public rescue equipment, including at least one ring life buoy, on the pier or public access site. It establishes requirements concerning ring life buoys installed on piers and public access sites. It provides that the end of the buoy line must not be secured to the shore.

The bill requires a unit of local government that owns one or more piers or public access sites on Lake Michigan, at least twice per year, to publish on the unit's website a report on lakefront drownings that occur within 50 feet of the unit's piers or public access sites. It provides that if more than one fatal drowning occurs not more than 50 feet from a particular pier or public access site in a span of five years, the owner of the pier or public access site shall: (1) disseminate in the area of the pier or public access site a water safety plan pertaining to the pier or public access site; and (2) upgrade the public rescue equipment installed on the pier or public access site, such as by installing equipment that automatically contacts the local 911 service in an emergency.

Effective Date: July 1, 2024.

Explanation of State Expenditures: The bill would increase expenditures for the Ports of Indiana to install and maintain public rescue equipment, if not already in place, at a state-owned pier on Lake Michigan, and to provide public education concerning the equipment. The Ports of Indiana is a body both corporate and politic that operates three Indiana ports, which includes Burns-Harbor on Lake Michigan. Depending on the amount of public rescue equipment needed, costs could vary.

The bill requires the Natural Resources Commission to adopt rules to implement the provisions of the bill,

which is a routine administrative function of the commission.

Additional Information: “Public access site”, as defined by the bill, means a site that is adjacent to the public trust and intended to facilitate direct public access to the public trust. The public trust refers to the waters of Lake Michigan (within Indiana’s boundaries), the land under the waters, and the beach up to the ordinary high water mark. However, “public access site” excludes a private residence or areas on state-owned property where swimming is prohibited or a life guard is on duty. The DNR operates a public beach along Lake Michigan at the Indiana Dunes State Park, but swimming is prohibited if a life guard is not on duty.

Explanation of State Revenues:

Explanation of Local Expenditures: The bill requires counties, cities, towns, and townships located in Indiana who own a pier or public access site on Lake Michigan to install public rescue equipment and provide public education concerning the public rescue equipment. Depending on the amount of public rescue equipment needed, costs could vary.

Local units that own a pier or public access site on Lake Michigan will also be required to compile a report, at least twice a year and published on their website, that reports any drowning that occurred within 50 feet of a pier or public access site. If a drowning happens between reports, local units will be required to report the additional drowning on their website. If more than one drowning occurs within 50 feet within a span of five years, the owner of the pier or public access site must create a water safety plan, and upgrade the public rescue equipment.

Explanation of Local Revenues:

State Agencies Affected: Ports of Indiana; Natural Resources Commission.

Local Agencies Affected: Counties, cities, towns, or townships that own a pier or public access site on Lake Michigan.

Information Sources: Indiana’s beaches and piers on Lake Michigan:

<https://www.southshorecva.com/things-to-do/beaches/>;

<https://www.in.gov/dnr/fish-and-wildlife/fishing/where-to-fish-interactive-map/>;

https://www.in.gov/dnr/lake-michigan-coastal-program/files/lmcp-lake_michigan_public_trust.pdf;

https://www.in.gov/dnr/state-parks/files/dunes_trail.pdf;

Lake Michigan Drowning Data:

<https://apps.michiganseagrant.org/dcd/dcdsearch.php>;

<https://glsrp.org/statistics/>.

Fiscal Analyst: Heather Puletz, 317-234-9484.