

SENATE BILL No. 253

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2; IC 14-15-14.

Synopsis: Lake Michigan rescue equipment. 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. Establishes requirements concerning ring life buoys installed on piers and public access sites. Provides that the end of the buoy line must not be secured to the shore. 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. 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: July 1, 2024.

Pol Jr.

January 11, 2024, read first time and referred to Committee on Natural Resources.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 253

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-8-2-204.8 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 204.8. "Pier", for purposes of**
4 **IC 14-15-14, has the meaning set forth in IC 14-15-14-1(1).**

5 SECTION 2. IC 14-8-2-221.9 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2024]: **Sec. 221.9. "Public access site", for**
8 **purposes of IC 14-15-14, has the meaning set forth in**
9 **IC 14-15-14-1(2).**

10 SECTION 3. IC 14-8-2-225.4 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2024]: **Sec. 225.4. "Public rescue**
13 **equipment", for purposes of IC 14-15-14, has the meaning set forth**
14 **in IC 14-15-14-1(3).**

15 SECTION 4. IC 14-8-2-289, AS AMENDED BY P.L.82-2005,
16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: **Sec. 289. "Unit of local government", for purposes of**



1 IC 14-12-1, **IC 14-15-14**, and IC 14-22-10, means a:

- 2 (1) county;
 3 (2) city;
 4 (3) town; or
 5 (4) township;

6 located in Indiana.

7 SECTION 5. IC 14-15-14 IS ADDED TO THE INDIANA CODE
 8 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]:

10 **Chapter 14. Lake Michigan Public Rescue Equipment**

11 **Sec. 1. The following definitions apply throughout this chapter:**

12 (1) **"Pier"** means a manmade, raised structure (such as a
 13 breakwater) that:

14 (A) extends into navigable water; and

15 (B) is intended:

- 16 (i) for use as a landing place or promenade; or
 17 (ii) to protect or form a harbor.

18 (2) **"Public access site"** means a site that is:

19 (A) adjacent to the public trust (as described in
 20 IC 14-26-2.1-3); and

21 (B) intended to facilitate direct public access to the public
 22 trust.

23 The term does not include a private residence or areas on
 24 state owned property where swimming is prohibited.

25 (3) **"Public rescue equipment"** means water rescue devices
 26 available for public use in case of an emergency, including
 27 ring life buoys, throw bags, rescue tubes, and rescue poles.

28 **Sec. 2. (a) The owner of a pier or public access site on Lake
 29 Michigan shall install public rescue equipment on the pier or
 30 public access site. The public rescue equipment installed on a pier
 31 or public access site under this subsection:**

32 (1) must include at least one (1) ring life buoy; and

33 (2) may include other types of public rescue equipment.

34 **(b) The owner of a pier or public access site on Lake Michigan:**

35 (1) shall oversee the installation and maintenance of the public
 36 rescue equipment required by this section; and

37 (2) if the owner is the state of Indiana or a unit of local
 38 government, shall also provide public education concerning
 39 the public rescue equipment installed on the pier or public
 40 access site.

41 **Sec. 3. (a) The following apply to a ring life buoy installed on a
 42 pier or public access site under section 2(a) of this chapter:**



- 1 **(1) The ring life buoy must not be permanently secured in any**
 2 **way to a station, rack, or pier.**
 3 **(2) The ring life buoy must be stowed inside a station to**
 4 **protect it from constant weather exposure.**
 5 **(3) The ring life buoy must meet the requirements of:**
 6 **(A) 46 CFR 160.050; or**
 7 **(B) 46 CFR 160.150;**
 8 **for Safety Of Life At Sea (SOLAS) approved equipment, or**
 9 **must meet other standards for public rescue equipment issued**
 10 **by the United States Coast Guard.**
 11 **(4) There must be attached to each ring life buoy a buoyant**
 12 **line:**
 13 **(A) that:**
 14 **(i) is at least one hundred (100) feet long; or**
 15 **(ii) if the ring life buoy is secured to a station, rack, or**
 16 **pier more than fifty (50) feet away from the Lake**
 17 **Michigan shoreline, is at least twenty-five (25) feet**
 18 **longer than the distance between the station, rack, or**
 19 **pier to which the ring life buoy is secured and the Lake**
 20 **Michigan shoreline;**
 21 **(B) that has a breaking strength of at least five (5)**
 22 **kilonewtons; and**
 23 **(C) the end of which must not be secured to the shore.**
 24 **(5) The ring life buoy must be marked with type II**
 25 **retroreflective material meeting the requirements of 46 CFR**
 26 **164.018.**
 27 **(6) The ring life buoy:**
 28 **(A) must be placed not more than two hundred (200) feet**
 29 **from the shoreline of Lake Michigan; and**
 30 **(B) must be available for emergency rescue operations.**
 31 **(b) A station in which a ring life buoy is stowed under**
 32 **subsection (a)(2) must:**
 33 **(1) be a bright orange or yellow color for high visibility to aid**
 34 **with quick access to the ring life buoy; and**
 35 **(2) bear signage that warns lakefront patrons that tampering**
 36 **with or misusing public rescue equipment is strictly**
 37 **prohibited.**
 38 **Sec. 4. (a) A unit of local government that owns one (1) or more**
 39 **piers or public access sites on Lake Michigan shall:**
 40 **(1) compile information; and**
 41 **(2) at least twice per year, publish on the unit's website a**
 42 **report;**



1 on lakefront drownings of which the unit is aware that have
 2 occurred within fifty (50) feet of a pier or public access site owned
 3 by the unit of local government.

4 (b) A report published under subsection (a)(2) must include at
 5 least the following information:

6 (1) The location of each drowning.

7 (2) The time of day at which the drowning occurred and the
 8 temperature and weather conditions at the time and place of
 9 the drowning.

10 (3) A description of:

11 (A) the public rescue equipment that was accessible at the
 12 pier or public access site within fifty (50) feet of the place
 13 of the drowning;

14 (B) how the public rescue equipment described under
 15 clause (A) may be used; and

16 (C) the type of entry into the water of Lake Michigan that
 17 is available at the pier or public access site within fifty (50)
 18 feet of the place of the drowning.

19 (c) If a drowning has occurred within fifty (50) feet of a pier or
 20 public access site owned by a unit of local government since the
 21 previous report of the unit of local government was published
 22 under subsection (a)(2), the unit of local government shall publish
 23 on its website, in addition to the report required by subsection
 24 (a)(2), a water safety plan pertaining to the pier or public access
 25 site.

26 **Sec. 5.** If more than one (1) drowning occurs not more than fifty
 27 (50) feet from a particular pier or public access site in a span of
 28 five (5) years, the owner of the pier or public access site shall:

29 (1) disseminate in the area of the pier or public access site a
 30 water safety plan pertaining to the pier or public access site;
 31 and

32 (2) upgrade the public rescue equipment installed on the pier
 33 or public access site under section 2(a) of this chapter, such as
 34 by installing equipment that automatically contacts the local
 35 911 service in an emergency.

36 **Sec. 6.** The department shall adopt rules under IC 4-22-2 to
 37 implement this chapter.

