



February 22, 2023

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## SENATE BILL No. 424

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DIGEST OF SB 424 (Updated February 20, 2023 12:30 pm - DI 150)

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

**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: (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, 2023.

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**Pol Jr., Bohacek, Glick, Doriot,  
Qaddoura**

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January 19, 2023, read first time and referred to Committee on Natural Resources.  
February 21, 2023, amended, reported favorably — Do Pass.

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SB 424—LS 7355/DI 55





February 22, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## SENATE BILL No. 424

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A BILL FOR AN ACT to amend the Indiana Code concerning natural 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, 2023]: **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, 2023]: **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, 2023]: **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, 2023]: **Sec. 289. "Unit of local government", for purposes of**

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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, 2023]:

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

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

12 (1) "Pier" means a man-made, 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) government owned; and

20 (B) intended to facilitate direct public access to the water.

21 The term does not include the public trust (as described in  
 22 IC 14-26-2.1-3) or areas on state owned property where  
 23 swimming is prohibited.

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

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

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

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

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

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

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

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

42 (1) The ring life buoy must not be permanently secured in any



1 way to a station, rack, or pier.

2 (2) The ring life buoy must be stowed inside a station to  
3 protect it from constant weather exposure.

4 (3) The ring life buoy must meet the requirements of:

5 (A) 46 CFR 160.050; or

6 (B) 46 CFR 160.150;

7 for Safety Of Life At Sea (SOLAS) approved equipment, or  
8 must meet other standards for public rescue equipment issued  
9 by the United States Coast Guard.

10 (4) There must be attached to each ring life buoy a buoyant  
11 line:

12 (A) that:

13 (i) is at least fifty (50) feet long; or

14 (ii) if the ring life buoy is secured to a station, rack, or  
15 pier more than fifty (50) feet away from the Lake  
16 Michigan shoreline, is at least twenty-five (25) feet  
17 longer than the distance between the station, rack, or  
18 pier to which the ring life buoy is secured and the Lake  
19 Michigan shoreline;

20 (B) that has a breaking strength of at least five (5)  
21 kilonewtons; and

22 (C) the end of which must not be secured to the shore.

23 (5) The ring life buoy must be marked with type II  
24 retroreflective material meeting the requirements of 46 CFR  
25 164.018.

26 (6) The ring life buoy:

27 (A) must be placed not more than two hundred (200) feet  
28 from the shoreline of Lake Michigan; and

29 (B) must be available for emergency rescue operations.

30 (b) A station in which a ring life buoy is stowed under  
31 subsection (a)(2) must:

32 (1) be a bright orange or yellow color for high visibility to aid  
33 with quick access to the ring life buoy; and

34 (2) bear signage that warns lakefront patrons that tampering  
35 with or misusing public rescue equipment is strictly  
36 prohibited.

37 Sec. 4. (a) A unit of local government that owns one (1) or more  
38 piers or public access sites on Lake Michigan shall:

39 (1) compile information; and

40 (2) at least twice per year, publish on the unit's website a  
41 report;

42 on lakefront drownings of which the unit is aware that have



1 occurred within fifty (50) feet of a pier or public access site owned  
2 by the unit of local government.

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

5 (1) The location of each drowning.

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

9 (3) A description of:

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

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

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

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

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

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

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

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



## COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 424, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 4.

Page 1, line 8, delete "IC 14-15-14-1(2)." and insert "**IC 14-15-14-1(1).**".

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 2. IC 14-8-2-221.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 221.9. "Public access site" for purposes of IC 14-15-14, has the meaning set forth in IC 14-15-14-1(2).**".

Page 2, delete lines 11 through 12.

Page 2, line 13, delete "(2)" and insert "**(1)**".

Page 2, between lines 18 and 19, begin a new line block indented and insert:

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

**(A) government owned; and**

**(B) intended to facilitate direct public access to the water.**

**The term does not include the public trust (as described in IC 14-26-2.1-3) or areas on state owned property where swimming is prohibited."**

Page 2, line 22, delete "drop-off" and insert "**public access site**".

Page 2, line 23, delete "drop-off." and insert "**public access site.**".

Page 2, line 24, delete "drop-off" and insert "**public access site**".

Page 2, line 28, delete "drop-off" and insert "**public access site**".

Page 2, line 33, delete "drop-off." and insert "**public access site.**".

Page 2, line 35, delete "drop-off" and insert "**public access site**".

Page 3, line 7, delete "one hundred (100)" and insert "**fifty (50)**".

Page 3, line 9, delete "one hundred (100)" and insert "**fifty (50)**".

Page 3, line 10, after "twenty-five" insert "**(25)**".

Page 3, line 16, delete "is" and insert "**must not be**".

Page 3, line 32, delete "drop-offs" and insert "**public access sites**".

Page 3, line 37, delete "one hundred (100)" and insert "**fifty (50)**".

Page 3, line 37, delete "drop-off" and insert "**public access site**".

Page 4, line 5, delete "drop-off" and insert "**public access site**".

Page 4, line 5, delete "one hundred (100)" and insert "**fifty (50)**".

Page 4, line 10, delete "drop-off" and insert "**public access site**".

Page 4, line 10, delete "one hundred" and insert "**fifty (50)**".



Page 4, line 11, delete "(100)".  
Page 4, line 12, delete "one hundred (100)" and insert "**fifty (50)**".  
Page 4, line 13, delete "drop-off" and insert "**public access site**".  
Page 4, line 17, delete "drop-off." and insert "**public access site.**".  
Page 4, line 18, after "not more than" delete "one".  
Page 4, line 19, delete "hundred (100)" and insert "**fifty (50)**".  
Page 4, line 19, delete "drop-off" and insert "**public access site**".  
Page 4, line 20, delete "drop-off" and insert "**public access site**".  
Page 4, line 21, delete "drop-off" and insert "**public access site**".  
Page 4, line 22, delete "drop-off;" and insert "**public access site;**".  
Page 4, line 24, delete "drop-off" and insert "**public access site**".  
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 424 as introduced)

GLICK, Chairperson

Committee Vote: Yeas 8, Nays 0.

