



**House
Legislative
Analysis
Section**

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RESCUE RECOUPMENT COSTS

House Bill 4635

Sponsor: Rep. Mike Green

**Committee: Conservation and Outdoor
Recreation**

Complete to 8-1-00

A SUMMARY OF HOUSE BILL 4635 AS INTRODUCED 5-4-99

The bill would amend the Revised Judicature Act (MCL 600.2969) to require that those who have to be rescued from state waters because they heedlessly ignore water conditions would be held liable for the cost of their rescue. Specifically, a person would be liable to pay the actual costs incurred by the governmental unit that rescued him or her under either of the following circumstances:

- The person had failed to heed safety warnings (defined under the bill to mean warnings issued, posted, or otherwise made available to the public by a governmental unit) concerning the condition of the ice or the weather conditions on or near the water.
- A reasonable person would have refrained from entering onto the ice or into the water in light of climate conditions, the condition of the ice, or both.

The bill would also specify that a person's lack of knowledge of the safety warnings would not be a defense to a cause of action brought under these provisions.

Analyst: R. Young

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