



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 581 be amended to read as follows:

- 1 Page 4, after line 7, begin a new paragraph and insert:
- 2 "SECTION 3. IC 34-30-19.5 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOW [EFFECTIVE JULY
- 4 1, 2019]:
- 5 **Chapter 19.5. Immunity of Owner of Property Near Lake**
- 6 **Michigan Public Trust Land**
- 7 **Sec. 1. As used in this chapter, "Lake Michigan public trust**
- 8 **land" means land adjoining Lake Michigan to which the state of**
- 9 **Indiana holds legal title in trust for the recreational use of the**
- 10 **public.**
- 11 **Sec. 2. As used in this chapter, "owner" means a person that:**
- 12 **(1) has a fee interest in;**
- 13 **(2) is a tenant, lessee, or occupant of; or**
- 14 **(3) is otherwise legally in control of;**
- 15 **a property.**
- 16 **Sec. 3. As used in this chapter, "property" means a tract of land,**
- 17 **including the buildings and improvements on the land.**
- 18 **Sec. 4. (a) Except as provided in subsection (b), an owner of a**
- 19 **property is not liable for any personal injury, death, property**
- 20 **damage, or other loss of any nature that a person incurs while**
- 21 **passing across the property with or without permission from the**
- 22 **owner of the property for the purpose of:**
- 23 **(1) going to Lake Michigan public trust land; or**
- 24 **(2) going to another destination upon leaving Lake Michigan**
- 25 **public trust land.**
- 26 **(b) Subsection (a) does not apply to personal injury, death,**
- 27 **property damage, or other loss caused by the property owner's**
- 28 **intentional misconduct.**

- 1       SECTION 4. [EFFECTIVE JULY 1, 2019] **(a) IC 34-30-19.5, as**  
2 **added by this act, applies to personal injury, death, property**  
3 **damage, or other loss that occurs after June 30, 2019.**  
4 **(b) This SECTION expires July 1, 2020."**  
5       Renumber all SECTIONS consecutively.  
      (Reference is to SB 581 as printed February 13, 2019.)

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Senator PERFECT