



**House  
Legislative  
Analysis  
Section**

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**LIABILITY FOR RESCUE COSTS**

**House Bill 4407**

**Sponsor: Rep. William Callahan**

**Committee: Family and Civil Law**

**Complete to 11-1-00**

**A SUMMARY OF HOUSE BILL 4407 AS INTRODUCED 3-10-99**

The bill would amend the Revised Judicature Act to require, under certain circumstances, a person who was rescued from a body of water in Michigan to pay for the costs of his or her rescue. Payment of actual rescue costs would have to be made where the individual's situation resulted from his or her careless or irresponsible actions. Under the bill, a person would be liable for rescue costs incurred by a governmental unit where the individual had failed to heed safety warnings concerning the condition of the ice or the weather conditions on or near the water, or where he or she went out on the ice or into the water when a reasonable person would not have done so in light of the climate conditions, the condition of the ice, or both. Lack of knowledge about safety warnings would not be a defense to a cause of action under the bill's provisions. Safety warnings would include warnings issued, posted, or otherwise made available to the public by a governmental unit. Repayment of the actual costs would have to be made to the governmental unit that incurred those costs in order to rescue of the individual. "Governmental unit" would include a state department or agency or any political subdivision of the state, including counties, cities, townships or villages.

MCL 600.2969

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