

# HOUSE BILL No. 5002

June 28, 2007, Introduced by Reps. Schuitmaker, Huizenga, Proos, Marleau, Moss, LeBlanc, Bauer and Acciavatti and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 12542 (MCL 333.12542).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 12542. The owner or person in charge of a public bathing  
2 beach ~~shall~~ **MAY** provide and maintain suitable and adequate safety  
3 and rescue equipment and suitable and adequate means of  
4 communication with outside sources of assistance. ~~which~~ **IF THE**  
5 **OWNER OR PERSON IN CHARGE OF A PUBLIC BATHING BEACH PROVIDES AND**  
6 **MAINTAINS SAFETY AND RESCUE EQUIPMENT OR MEANS OF COMMUNICATION**  
7 **UNDER THIS SECTION, THAT EQUIPMENT OR MEANS OF COMMUNICATION** shall  
8 be available and accessible at the public bathing beach when it is  
9 open to bathers. **IF THE OWNER OR PERSON IN CHARGE OF A PUBLIC**

1 BATHING BEACH PROVIDES AND MAINTAINS SAFETY AND RESCUE EQUIPMENT OR  
2 MEANS OF COMMUNICATION UNDER THIS SECTION, THAT ACTION CONSTITUTES  
3 THE EXERCISE OR DISCHARGE OF A GOVERNMENTAL FUNCTION.