

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

***** 324.2165.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2022 REGULAR SESSION SINE DIE *****

324.2165.amended Notice of acquisition, disposal, lease or development of land; requirements; public meeting; exclusions; definitions.

Sec. 2165. (1) At least 30 days before acquiring, or making a decision to dispose of, lease, or develop, lands that are more than 80 acres in size, the department shall do all of the following:

(a) Provide notice in writing to the legislative bodies of the local units of government where the land is located.

(b) Post the notice on its website.

(c) Publish the notice in a newspaper of general circulation in the county where the land is located.

(2) The notice under subsection (1) shall contain all of the following information:

(a) The acreage, the location by address or by distance and direction from specified roads or highways, and the legal description of the land.

(b) The proposed timing of the land transaction.

(c) The proposed use for the land.

(d) The opportunity for the legislative body of a local unit of government where the land is located, or 5 or more residents of or owners of land in the county where the land is located, to request a general public meeting on the proposed transaction and the date by which the request must be received by the department under subsection (3).

(e) A website address where additional information on the proposed transaction can be found.

(f) For persons who wish to comment on or ask questions about the proposed transaction, the name, telephone number, electronic mail address, and mailing address of a department contact person.

(g) For the website notice, the following additional information:

(i) For the acquisition, lease from another person, or development of land, the fund source that will be used.

(ii) For the acquisition of land, the estimated annual payments in lieu of taxes.

(iii) The effect the proposal is expected to have on achieving the strategic performance goals set forth in the strategic plan pursuant to section 503(7).

(3) If the legislative body of a local unit of government where the land is located or 5 or more residents of or owners of land in the county where the land is located request a general public meeting and the department receives the necessary request or requests within 15 days after providing notice under subsection (1), the department shall meet with the general public in the county where the land is located to discuss the proposed disposition, acquisition, lease, or development. The department shall send a representative to the meeting who is familiar with the proposal.

(4) The department shall provide notice of a meeting under subsection (3) by all of the following means:

(a) Written notice to the legislative body of each local unit of government where the land is located.

(b) Written notice to each resident or owner of land that requested the meeting under subsection (3).

(c) Posting of the notice on the department's website.

(5) The department shall provide an opportunity for representatives of all local units of government where the land is located to meet in person with a department representative who is familiar with the proposed disposition, acquisition, lease, or development to discuss the proposal.

(6) Subsections (1) to (5) do not apply to either of the following:

(a) A lease with a term of 10 years or less.

(b) A lease limited to exploration for and production of oil and gas.

(7) As used in this section:

(a) "Development" means development that would significantly change or impact the current use of the land subject to development. "Developing" has a corresponding meaning. The removal of a berm, gate, or other human-made barrier under section 504 is not development.

(b) "Newspaper" means that term as defined in section 1461 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1461.

History: Add. 2018, Act 240, Eff. Sept. 25, 2018;—Am. 2022, Act 2, Eff. (sine die).

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