

SENATE BILL NO. 687

October 30, 2025, Introduced by Senators SINGH, DALEY, LAUWERS, SHINK and CHERRY
and referred to Committee on Natural Resources and Agriculture.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 36206 (MCL 324.36206), as amended by 2002 PA
75.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 36206. (1) After the board determines which grants should
2 be awarded, and the amount of the grants, the department shall
3 distribute the grants to the local units of government awarded the
4 grants. The department shall condition the receipt of a grant upon
5 the department's approval of the agricultural conservation

1 easements being acquired.

2 (2) In reviewing permitted uses ~~contained within~~**in** an
3 agricultural conservation easement under subsection (1), the
4 department shall consider all of ~~whether the permitted uses do~~ the
5 following:

6 (a) ~~Whether the permitted uses adversely~~**Adversely** affect the
7 productivity of farmland.

8 (b) ~~Whether the permitted uses materially~~**Materially** alter or
9 negatively affect the existing conditions or use of the land.

10 (c) ~~Whether the permitted uses result~~**Result** in a material
11 alteration of an existing structure to a nonagricultural use.

12 (d) ~~Whether the permitted uses conform~~**Conform** with all
13 applicable federal ~~,and~~ state ~~,laws~~ and local ~~laws and~~
14 ordinances.

15 (3) The department may accept contributions of all ~~or a~~
16 ~~portion of the development rights to 1 or more parcels of land,~~
17 including a conservation easement or a historic preservation
18 easement as defined in section 2140. ~~,as part of a transaction for~~
19 ~~the purchase of an agricultural conservation easement.~~**This**
20 **subsection does not require the department to be added as a**
21 **coholder of an existing conservation easement as defined in section**
22 **2140.**

23 (4) A local unit of government that purchases an agricultural
24 conservation easement with money from a grant may purchase the
25 agricultural conservation easement through an installment purchase
26 agreement under terms negotiated by the local unit of government.

27 (5) An agricultural conservation easement acquired under this
28 part ~~shall~~**may** be held jointly by ~~the~~**this** state and the local unit
29 of government in which the land subject to the agricultural

1 conservation easement is located. However, ~~the~~**this** state may
2 delegate enforcement authority of 1 or more agricultural
3 conservation easements to the local units of government in which
4 the agricultural conservation easements are located. **Alternatively,**
5 **upon request by the local unit of government and approval by the**
6 **board, the agricultural conservation easement may be held solely by**
7 **the local unit of government if the easement instrument includes**
8 **the following language:**

9 "Pursuant to part 362 of the natural resources and
10 environmental protection act, 1994 PA 451, the state of Michigan is
11 granted a third party right of enforcement. This right may be
12 exercised if the primary easement holder fails to enforce any of
13 the terms of this easement, as determined in the sole discretion of
14 the state. The state may enter the protected property, with
15 reasonable notice, for the purpose of inspection and enforcement,
16 and may pursue all available legal and equitable remedies to uphold
17 the purposes of the easement. Such entry shall not unreasonably
18 interfere with the landowner's quiet use and enjoyment of the
19 property."

20 (6) An agricultural conservation easement acquired under this
21 part may be transferred to the owner of the property subject to the
22 agricultural conservation easement if ~~the~~**this** state and the local
23 unit of government holding the agricultural conservation easement
24 agree to the transfer and the terms of the transfer.

25 (7) Section 36109 provides for tax credits for an owner of
26 farmland subject to an agricultural conservation easement under
27 this section.

28 Enacting section 1. This amendatory act does not take effect
29 unless all of the following bills of the 103rd Legislature are

1 enacted into law:

2 (a) Senate Bill No. 688.

3

4 (b) Senate Bill No. 690.

5

6 (c) Senate Bill No. 686.

7

8 (d) Senate Bill No. 689.

9

10 (e) Senate Bill No. 685.