

SENATE BILL NO. 688

October 30, 2025, Introduced by Senators CHERRY, SINGH, DALEY, LAUWERS and SHINK
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 36103 (MCL 324.36103), as amended by 2003 PA
36.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 36103. (1) The execution and acceptance of a development
2 rights agreement or easement by ~~the~~**this** state or ~~the~~ local
3 governing body and the owner dedicates to the public the
4 development rights in the land for the term specified in the
5 instrument. A development rights agreement or easement shall be for

1 an initial term of not less than 10 years. A development rights
2 agreement or easement entered into after June 5, 1996 shall not be
3 for a term of more than 90 years.

4 (2) ~~The~~**This** state or ~~the~~ local governing body shall not sell,
5 transfer, convey, relinquish, vacate, or otherwise dispose of a
6 development rights agreement or easement except with the agreement
7 of the owner as provided in sections 36111, 36111a, 36112, and
8 36113.

9 (3) An agreement or easement does not supersede any prior
10 lien, lease, or interest that is properly recorded with the county
11 register of deeds.

12 (4) A lien created under this part in favor of ~~the~~**this** state
13 or a local governing body is subordinate to a lien of a mortgage
14 that is recorded in the office of the register of deeds before the
15 recording of the lien of ~~the~~**this** state or **a** local governing body.

16 (5) ~~The~~**This** state shall subordinate its interest in a
17 recorded agreement under section 36104 or an easement under section
18 36105 or 36106 to a subsequently recorded mortgage lien, lease, or
19 interest if both of the following conditions are met:

20 (a) The parcel meets the requirements set forth under section
21 36111(2)(a) for parcels containing existing structures.

22 (b) The landowner requesting the subordination is an
23 individual essential to the operation of the farm as **that term is**
24 defined in section ~~36110(5)~~**36110(6)**.

25 Enacting section 1. This amendatory act does not take effect
26 unless all of the following bills of the 103rd Legislature are
27 enacted into law:

28 (a) Senate Bill No. 690
29

1 (b) Senate Bill No. 686.

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3 (c) Senate Bill No. 689.

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5 (d) Senate Bill No. 687.

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7 (e) Senate Bill No. 685.