# LIVESTOCK GRAZING ON STATE LANDS
## Act 66 of 1959

AN ACT to prohibit the running at large on or the grazing upon any land owned by or under the control of the department of natural resources and environment, by cattle, horses, sheep, and swine; to provide for the enforcement of this act; and to prescribe penalties for the violation of the provisions of this act.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

*The People of the State of Michigan enact:*

### 322.581 Definitions; running at large or grazing by animal; permit; running at large by swine as public nuisance.

Sec. 1. (1) As used in this act:

(a) "Animals" means cattle, horses, sheep, or swine.

(b) "Department" means the department of natural resources and environment.

(c) "Director" means the director of the department of natural resources and environment.

(2) The owner of any animal shall not allow the animal to run at large or graze upon any lands owned by or under the control of the department except under authority of a written permit issued by the director.

(3) The owner of any swine shall not permit the swine to run at large or graze upon any lands owned by or under the control of the department. Swine running at large are a public nuisance.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.582 Animal found grazing or running at large; possession by director; liability.

Sec. 2. (1) The director may take possession of any animal found grazing or running at large in violation of section 1.

(2) The director is not civilly or criminally liable for complying with subsection (1).

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.583 Seizure of animals; care while impounded.

Sec. 3. If the director seizes any animal under section 2, the director shall impound it in a suitable place and furnish it with suitable care, food, and water as long as it remains impounded.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.584 Notice of impounding; posting; contents.

Sec. 4. Within 48 hours after the impounding of any animal under section 2, the director shall post in 3 conspicuous places in the township where the animal was seized a written notice of the impounding. The notice shall contain the place, date, and reason for the seizure and the number and description of the animals impounded.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.585 Auction; notice; posting.

Sec. 5. If a person does not appear to claim an animal impounded under section 2 within 7 days after the date of impounding, the director shall sell the animal by auction in the county where it is impounded. The director shall first advertise the sale by posting a notice thereof in 3 conspicuous places in the county not less than 5 days before the sale and by serving a copy of the notice on the owner of the animal if the owner is known and resides in the county.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.586 Claim of ownership of impounded animal; payment.

Sec. 6. If, at any time prior to 24 hours immediately preceding the date and hour fixed for the sale, the owner files with the director, in writing, a statement under oath that he or she is the owner of the animal and pays to the director a sum of 50 cents for each day the animal was impounded, the director shall deliver the animal to the owner. If the owner refuses or neglects to pay the sum due, the director shall sell the animal at auction as provided in section 5.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.587 Escape of impounded animal; retaking.

Sec. 7. If any animal impounded under section 2 escapes, the director at any time within 7 days thereafter

CAUTION! This document is from an archive and may contain outdated information.


© Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov

may retake the animal and hold and dispose of it as provided in this act, as if no escape had taken place.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.588 Animals impounded; unlawful interference, misdemeanor.

Sec. 8. Any person who without lawful authority attempts to or removes, takes or interferes with, in any manner, any animals impounded under authority of this act is guilty of a misdemeanor.

**History:** 1959, Act 66, Eff. Mar. 19, 1960.

### 322.589 Animals impounded; sale; disposition of proceeds; claim by owner.

Sec. 9. All money received by the director from the sale provided for in section 5 shall be deposited with the state treasurer in accordance with established accounting procedure and law and, after all costs and expenses for rounding up, impounding, caring for, feeding, advertising, and selling the animal as certified by the director have been paid therefrom, the balance remaining shall be held in trust by the state treasurer for a period of 90 days. If within 90 days after the sale the previous owner of the animal at the time of seizure establishes to the satisfaction of the director his or her previous ownership of the animal, the balance held in trust shall be paid to the previous owner by the state treasurer. If the previous owner does not appear within the 90-day period, then the state treasurer shall credit the balance held in trust to the general fund of this state. All money received by the director under section 6 shall be deposited with the state treasurer in accordance with the law and established accounting procedure and credited to the general fund of this state.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.590 Criminal liability of owner.

Sec. 10. This act does not relieve an owner of any animal of any criminal liability or penalty which may be otherwise provided by law for allowing or permitting animals to graze or run at large on lands owned by or under the control of the department.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.591 Permits; sale; terms and conditions.

Sec. 11. The terms and conditions of the permits and for the sale of animals impounded under section 2 shall be determined by the director.

**History:** 1959, Act 66, Eff. Mar. 19, 1960;—Am. 2010, Act 70, Imd. Eff. May 13, 2010.

### 322.592 Killing of swine running at large; authority not limited.

Sec. 12. This act does not limit authority provided under section 4a of 1976 PA 328, MCL 433.14a, to kill swine running at large.

**History:** Add. 2010, Act 70, Imd. Eff. May 13, 2010..

CAUTION! This document is from an archive and may contain outdated information.


© Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov