

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

324.43556 Hunter access leases on private land; lease payments; control of hunter access by participating landowners; cancellation of lease agreement; forfeiture of lease payments; posting boundaries of leased land; cause of action for injuries; orders.

Sec. 43556.

(1) The department may utilize the game and fish protection account for the purpose of acquiring and administering hunter access leases on private land.

(2) The department may determine and provide lease payments in amounts that are related to the benefits the leased land provides for public use if for a designated lease period a participating landowner agrees to allow public access to certain lands for the purpose of hunting. Department field personnel shall inspect the lands and determine their value to the program. Final approval of lease proposals shall be made by the department.

(3) Participating landowners have authority to control hunter access according to the terms of the lease agreement, including terms requiring a hunter to obtain verbal or written permission to hunt on the participating landowners' land.

(4) Pursuant to rules adopted under this section, participating landowners may cancel their lease agreement at any time prior to the expiration of the lease. Cancellation of the agreement prior to the expiration of the lease shall result in the forfeiture of all lease payments that have been received by the participating landowner for the year in which cancellation occurs.

(5) Participating landowners shall post, with signs provided by the department, the boundaries of land leased under this section.

(6) A cause of action shall not arise for injuries to persons hunting on lands leased under this section unless the injuries were caused by the gross negligence or willful and wanton misconduct of the owner, tenant, or lessee.

(7) The department may issue orders pursuant to part 401 governing the administration and operation of a hunting access program.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995 ;-- Am. 1996, Act 585, Eff. Mar. 1, 1997 ;-- Am. 2004, Act 587, Eff. Dec. 23, 2006

Compiler's Notes: Enacting section 2 of Act 587 of 2004 provides: "Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

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