

HOUSE BILL No. 5318

October 23, 1997, Introduced by Reps. Lowe, Cropsey, Bodem, Goschka, DeVuyst, Voorhees, Bobier, McNutt, Horton and Raczkowski and referred to the Committee on Forestry and Mineral Rights.

A bill to provide for certain rights of surface owners and subsurface owners; to prohibit certain uses of the surface of land without the authorization of the surface owner; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Beginning on the effective date of this act,
2 the transfer of oil, gas, minerals, or other subsurface rights
3 does not provide any right to use the surface of the land for any
4 purpose. For severed oil, gas, mineral, or other subsurface
5 rights that are transferred after the effective date of this act,
6 any use of the surface of the land for the exploration or devel-
7 opment of oil, gas, minerals, or other subsurface substances
8 requires explicit authorization of the surface owner.

1 (2) Upon petition, the circuit court of the county in which
2 land is located may issue an injunction or provide other
3 equitable relief or damages for a violation of this act.