

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

**324.2138 Sale or lease of certain land; notice of proposed sale or lease; disposition of proceeds.**

Sec. 2138.

(1) Upon request, the department shall consider selling or leasing land if both of the following requirements are met:

(a) The prospective buyer or lessee is an existing business located adjacent to state land and is limited from expansion because of adjacent state land.

(b) The sale or lease will result in a net economic benefit or other benefit for a local unit of government or region.

(2) The department shall give notice of the proposed sale or lease of the land as provided in section 2165.

(3) In making its decision on the request under subsection (1), the department shall consider both of the following:

(a) Any comments on the proposed sale or lease from local units of government or other persons.

(b) The impact on natural resources and outdoor recreation in this state, giving due regard to the variety, use, and quantity of lands then under control of the department.

(4) The price for sale of the land shall be established using a method determined appropriate by the department and agreed to by the applicant, such as those listed in section 2132(1).

(5) Proceeds from sale of the land shall be deposited in the fund that provided the revenue for the acquisition of the land by the department. If there is more than 1 such fund, the revenue shall be deposited in the funds in amounts proportionate to their respective contributions for the department's acquisition of the land. To the extent that the land was in whole or in part acquired other than with restricted fund revenue, a proportionate amount of proceeds of the sale of the land shall be deposited in the land exchange facilitation and management fund created in section 2134.

**History:** Add. 2018, Act 238, Eff. Sept. 25, 2018

**Popular Name:** Act 451

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