To provide that the Secretary of the Interior may not enter into certain conservation easements with a term of more than 50 years, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Cramer (for himself, Mr. Rounds, and Mr. Hoeven) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide that the Secretary of the Interior may not enter into certain conservation easements with a term of more than 50 years, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Landowner Easement Rights Act”.

SEC. 2. LIMITATION ON CONSERVATION EASEMENT TERMS.

After the date of the enactment of this Act, the Secretary may not enter into a conservation easement with a term of more than 50 years.
SEC. 3. RENEGOTIATION OF CONSERVATION EASEMENTS.

At the request of an owner of land that is subject to an eligible conservation easement, the Secretary shall—

(1) not later the 6 months after the Secretary receives the request from the landowner, provide to the landowner—

(A) a detailed map of the easement; and

(B) notice of the current fair market value of the easement as determined by the Secretary; and

(2) renegotiate the terms of the eligible conservation easement, including—

(A) a term not longer than 50 years; and

(B) payment by the Secretary to the landowner in an amount equal to the fair market value of the easement, as determined by the Secretary under paragraph (1)(B), minus the amount paid by the Secretary for the eligible conservation easement being renegotiated (adjusted for inflation); or

(3) allow the landowner to buy back the eligible conservation easement or a portion of the eligible conservation easement at fair market value, as determined by the Secretary.
SEC. 4. NOTICE TO LANDOWNERS.

The Secretary shall notify the owner of the land subject to that conservation easement of the owner’s right to submit a request under section 3—

(1) not later than 3 months before the conservation easement becomes an eligible conservation easement described in section 5(2)(A); and

(2) not later than 1 year before the conservation easement becomes an eligible conservation easement described in section 5(2)(B).

SEC. 5. DEFINITIONS.

In this Act:

(1) CONSERVATION EASEMENT.—The term “conservation easement”—

(A) means a voluntary, legal agreement between a landowner and the Secretary that limits use of the land in order to protect its conservation values; and

(B) does not include agreements—

(i) with Indian Tribes; or for

(ii) related to utilities.

(2) ELIGIBLE CONSERVATION EASEMENT.—The term “eligible conservation easement” means a conservation easement that—

(A) has been in effect for longer than 50 years; or
(B) was put into effect before 1977 without the creation of an official corresponding map.

(3) Secretary.—The term “Secretary” means the Secretary of the Interior.