

# HOUSE BILL NO. 5293

December 10, 2019, Introduced by Reps. Haadsma, Brixie, Wittenberg, Kuppa, Byrd, Elder, Peterson, Garrett, Cynthia Johnson, Brenda Carter, Coleman, Garza, Hood, Witwer, Shannon, Tyrone Carter, Kennedy, Manoogian, Whitsett, Clemente, Anthony, Gay-Dagnogo, Stone, Hope, Cambensy, Cherry, Sowerby, Lasinski, Chirkun, Camilleri and Greig and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 16aa of chapter XVII (MCL 777.16aa), as amended  
by 2013 PA 214.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XVII

Sec. 16aa. This chapter applies to the following felonies  
enumerated in chapter 750 of the Michigan Compiled Laws:



1	M.C.L.	Category	Class	Description	Stat Max
2	750.539c	Pub ord	H	Eavesdropping	2
3	750.539d(3) (a) (i)	Pub ord	H	Installing, placing,	2
4				or using eavesdropping	
5				device	
6	750.539d(3) (a) (ii)	Pub ord	E	Installing, placing,	5
7				or using eavesdropping	
8				device – subsequent	
9				offense	
10	750.539d(3) (b)	Pub ord	E	Distributing,	5
11				disseminating, or	
12				transmitting recording	
13				or image obtained by	
14				eavesdropping	
15	750.539e	Pub ord	H	Divulging or using	2
16				information obtained	
17				by eavesdropping	
18	750.539f	Pub ord	H	Manufacture or	2
19				possession of	
20				eavesdropping device	
21	750.539j(2) (a) (i)	Pub ord	H	Lewd surveillance or	2
22				capturing lewd image	
23	750.539j(2) (a) (ii)	Pub ord	E	Lewd surveillance or	5
24				capturing lewd image –	
25				subsequent offense	
26	750.539j(2) (a) (iii)	Pub ord	E	<b>Lewd surveillance or</b>	<b>7</b>
27				<b>capturing lewd image</b>	
28				<b>involving minor</b>	



1	750.539j (2) (b)	Pub ord	E	Distributing,	5
2				disseminating, or	
3				transmitting visual	
4				image obtained by	
5				surveillance	
6	750.539j (2) (c)	Pub ord	E	<b>Distributing,</b>	<b>7</b>
7				<b>disseminating, or</b>	
8				<b>transmitting recording</b>	
9				<b>or image of minor</b>	
10				<b>obtained by</b>	
11				<b>surveillance</b>	
12	750.539k (5) (a)	Property	E	Illegally recording	5
13				personal identifying	
14				information from	
15				financial transaction	
16				device transaction	
17	750.539k (5) (b)	Property	D	Illegally recording	10
18				personal identifying	
19				information from	
20				financial transaction	
21				device transaction –	
22				second offense	
23	750.539k (5) (c)	Property	C	Illegally recording	15
24				personal identifying	
25				information from	
26				financial transaction	
27				device transaction –	
28				third or subsequent	
29				offense	



1	750.540 (5) (a)	Pub ord	H	Damaging, destroying,	2
2				using, or obstructing	
3				use of electronic	
4				medium of	
5				communication	
6	750.540 (5) (b)	Person	F	Damaging, destroying,	4
7				using, or obstructing	
8				use of electronic	
9				medium of	
10				communication	
11				resulting in injury or	
12				death	
13	750.540c (4)	Property	F	Telecommunication	4
14				violation	
15	750.540f (2)	Property	E	Knowingly publishing a	5
16				communications access	
17				device with prior	
18				convictions	
19	750.540g (1) (c)	Property	E	Diverting	5
20				telecommunication	
21				services having a	
22				value of \$1,000 to	
23				\$20,000 or with prior	
24				convictions	



1     750.540g(1) (d)     Property     D     Diverting     10  
2                                     telecommunication  
3                                     services having a  
4                                     value of \$20,000 or  
5                                     more or with prior  
6                                     convictions

7             Enacting section 1. This amendatory act takes effect 90 days  
8     after the date it is enacted into law.

9             Enacting section 2. This amendatory act does not take effect  
10    unless Senate Bill No.\_\_\_\_ or House Bill No. 5294 (request no.  
11    03122'19) of the 100th Legislature is enacted into law.

