

SUBSTITUTE FOR
HOUSE BILL NO. 4724

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 539c (MCL 750.539c).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 539c. **(1)** ~~Any~~**A** person who is present or who is not
2 present during a private conversation ~~and who wilfully~~**willfully**
3 uses any device to eavesdrop upon the conversation without the
4 consent of all parties ~~thereto,~~**to the conversation,** or who
5 knowingly aids, employs, or procures another person to ~~do the same~~
6 ~~in violation of~~**violate** this section, is guilty of a felony
7 punishable by imprisonment ~~in a state prison~~ for not more than 2
8 years or by a fine of not more than \$2,000.00, or both.
9 **(2) This section does not apply to the use of any device for**

1 purposes of security monitoring of a residence or other structures
2 on residential property if conducted in conformity with section
3 539d. Unless the recording collected under this section captures
4 evidence of criminal activity it must not be used or published
5 without the consent of the individual or individuals being
6 recorded.