

STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006

Introduced by Reps. Elsenheimer, Jones, Newell, Nofs, David Law and Sheltroun
ENROLLED HOUSE BILL No. 4544

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 508 (MCL 750.508), as amended by 2002 PA672.

The People of the State of Michigan enact:

Sec. 508. (1) A person who has been convicted of 1 or more felonies during the preceding 5 years shall not carry or have in his or her possession a radio receiving set that will receive signals sent on a frequency assigned by the federal communications commission of the United States for police or other law enforcement, fire fighting, emergency medical, federal, state, or local corrections, or homeland security purposes. **This subsection does not apply to a person who is licensed as an amateur radio operator by the federal communications Commission.** A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(2) A person shall not carry or have in his or her possession in the commission or attempted commission of a crime a radio receiving set that will receive signals sent on a frequency assigned by the federal communications commission of the United States for police or other law enforcement, fire fighting, emergency medical, federal, state, or local corrections, or homeland security purposes. A person who violates this subsection is guilty of a crime as follows:

(a) If this subsection is violated in the commission or attempted commission of a misdemeanor punishable by a maximum term of imprisonment of at least 93 days but less than 1 year, the person is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(b) If this subsection is violated in the commission or attempted commission of a misdemeanor or felony punishable by a maximum term of imprisonment of 1 year or more, the person is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$2,000.00, or both.

(3) Subsection (2) does not apply to a person who carries or has in his

or her possession a radio receiving set described in subsection (2) in the commission or attempted commission of a misdemeanor punishable by a maximum term of imprisonment of less than 93 days.

(4) This section does not apply to the use of radar detectors.

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

This act is ordered to take immediate effect.

ss//Clerk of the House of Representatives

ss//Secretary of the Senate

Approved

ss//Governor