

**SUBSTITUTE FOR
HOUSE BILL NO. 5494**

A bill to amend 2016 PA 436, entitled
"Unmanned aircraft systems act,"
(MCL 259.301 to 259.331) by adding section 20.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 20. (1) A PERSON IS GUILTY OF AN OFFENSE COMMITTED WITH**
2 **THE AID OF AN UNMANNED AIRCRAFT SYSTEM IF THE UNMANNED AIRCRAFT**
3 **SYSTEM IS UNDER THE PERSON'S CONTROL AND THE ACTIVITY PERFORMED**
4 **WITH THE AID OF THE UNMANNED AIRCRAFT SYSTEM WOULD HAVE GIVEN RISE**
5 **TO CRIMINAL LIABILITY UNDER THE PENAL LAW OF THIS STATE IF IT WAS**
6 **PERFORMED DIRECTLY BY THE PERSON WITHOUT THE AID OF AN UNMANNED**
7 **AIRCRAFT SYSTEM.**

8 **(2) NOTWITHSTANDING SUBSECTION (1), AND EXCEPT AS PROVIDED IN**
9 **SECTIONS 21 AND 22 [AND SECTION 45A(1) OF THE MICHIGAN PENAL CODE, 1931**
10 **PA 328, MCL 750.45A], SOLELY FLYING AN UNMANNED AIRCRAFT SYSTEM**
10 **THROUGH NAVIGABLE AIRSPACE IN ACCORDANCE WITH FEDERAL LAW DOES NOT**

House Bill No. 5494 as amended March 21, 2018

1 **GIVE RISE TO CRIMINAL LIABILITY UNDER THE PENAL LAW OF THIS STATE.**

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

4
5 [Enacting section 2. This amendatory act does not take effect
unless House Bill No. 5495 of the 99th Legislature is enacted into
law.]