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## **EAVESDROPPING: CONSENT FROM ALL PARTICIPANTS**

**House Bill 4516**

**Sponsor: Rep. Michael Switalski**

**Committee: Criminal Law and Corrections**

**Complete to 11-14-00**

### **A SUMMARY OF HOUSE BILL 4516 AS INTRODUCED 4-20-99**

Under the Michigan Penal Code, it is a felony for any person to wilfully use any device to eavesdrop upon a private conversation, whether or not the eavesdropper is present during the conversation, without the consent of all of the parties to the conversation. House Bill 4615 would amend the code to change the definition of the term “eavesdropping” to mean to overhear, record, amplify or transmit any part of a private discourse without the permission of all of the people who were engaged in the discourse. The change in the definition would expand eavesdropping to cover all private conversations, whereas the current definition limits the term eavesdropping to the conversations “of others” -- that is, where the party recording or overhearing the conversation was not party to the conversation.

MCL 750.539a and 750.539j

House Bill 4516 (11-14-00)

Analyst: W. Flory

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#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.