

HOUSE BILL No. 4516

April 20, 1999, Introduced by Reps. Switalski, Schermesser, Woodward, Lemmons, Dennis, Scott, Hardman, Rivet, Cherry, Hale, Brater and Bovin and referred to the Committee on Criminal Law and Corrections.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 539a. As used in sections 539a to 539i:
2 (1) "Private place" means a place where one may reasonably
3 expect to be safe from casual or hostile intrusion or surveil-
4 lance but does not include a place to which the public or sub-
5 stantial group of the public has access.
6 (2) "Eavesdrop" or "eavesdropping" means to overhear,
7 record, amplify or transmit any part of ~~the~~ A private discourse
8 ~~of others~~ without the permission of all persons engaged in the
9 discourse. ~~Neither this definition or any other provision of~~
10 ~~this act shall modify or affect any law or regulation concerning~~

~~1 interception, divulgence or recording of messages transmitted by~~
~~2 communications common carriers.~~

3 (3) "Surveillance" means to secretly observe the activities
4 of another person for the purpose of spying upon and invading the
5 privacy of the person observed.

6 (4) "Person" means any individual, partnership, corporation,
7 or association.

8 SEC. 539J. THIS ACT DOES NOT MODIFY OR AFFECT ANY LAW OR
9 REGULATION CONCERNING INTERCEPTING, DIVULGING, OR RECORDING MES-
10 SAGES TRANSMITTED BY COMMUNICATIONS COMMON CARRIERS.