

Act No. 214  
Public Acts of 2013  
Approved by the Governor  
December 21, 2013  
Filed with the Secretary of State  
December 26, 2013  
EFFECTIVE DATE: April 1, 2014

**STATE OF MICHIGAN  
97TH LEGISLATURE  
REGULAR SESSION OF 2013**

Introduced by Reps. Callton, Heise, Singh, VerHeulen, Yanez, Faris, Pscholka, Daley, McBroom, Clemente, Hooker, Nesbitt, Townsend, Yonker, Lyons and Oakes

# ENROLLED HOUSE BILL No. 5052

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16aa of chapter XVII (MCL 777.16aa), as added by 2007 PA 20.

*The People of the State of Michigan enact:*

## CHAPTER XVII

Sec. 16aa. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.539c	Pub ord	H	Eavesdropping	2
750.539d(3)(a)(i)	Pub ord	H	Installing, placing, or using eavesdropping device	2
750.539d(3)(a)(ii)	Pub ord	E	Installing, placing, or using eavesdropping device — subsequent offense	5
750.539d(3)(b)	Pub ord	E	Distributing, disseminating, or transmitting recording or image obtained by eavesdropping	5
750.539e	Pub ord	H	Divulging or using information obtained by eavesdropping	2

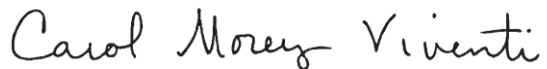
750.539f	Pub ord	H	Manufacture or possession of eavesdropping device	2
750.539j(2)(a)(i)	Pub ord	H	Lewd surveillance or capturing lewd image	2
750.539j(2)(a)(ii)	Pub ord	E	Lewd surveillance or capturing lewd image — subsequent offense	5
750.539j(2)(b)	Pub ord	E	Distributing, disseminating, or transmitting visual image obtained by surveillance	5
750.539k(5)(a)	Property	E	Illegally recording personal identifying information from financial transaction device transaction	5
750.539k(5)(b)	Property	D	Illegally recording personal identifying information from financial transaction device transaction — second offense	10
750.539k(5)(c)	Property	C	Illegally recording personal identifying information from financial transaction device transaction — third or subsequent offense	15
750.540(5)(a)	Pub ord	H	Damaging, destroying, using, or obstructing use of electronic medium of communication	2
750.540(5)(b)	Person	F	Damaging, destroying, using, or obstructing use of electronic medium of communication resulting in injury or death	4
750.540c(4)	Property	F	Telecommunication violation	4
750.540f(2)	Property	E	Knowingly publishing a communications access device with prior convictions	5
750.540g(1)(c)	Property	E	Diverting telecommunication services having a value of \$1,000 to \$20,000 or with prior convictions	5
750.540g(1)(d)	Property	D	Diverting telecommunication services having a value of \$20,000 or more or with prior convictions	10

Enacting section 1. This amendatory act takes effect April 1, 2014.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5051 of the 97th Legislature is enacted into law.



Clerk of the House of Representatives



Secretary of the Senate

Approved .....

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Governor

**Compiler's note:** House Bill No. 5051, referred to in enacting section 2, was filed with the Secretary of State December 26, 2013, and became 2013 PA 213, Eff. Apr. 1, 2014.