

Act No. 29
Public Acts of 2017
Approved by the Governor
May 8, 2017
Filed with the Secretary of State
May 9, 2017
EFFECTIVE DATE: August 7, 2017

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017**

Introduced by Reps. Cox and Barrett

ENROLLED HOUSE BILL No. 4063

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 criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 43a.

The People of the State of Michigan enact:

Sec. 43a. (1) A person shall not intentionally aim a beam of directed energy emitted from a directed energy device at an aircraft or into the path of an aircraft or a moving train.

(2) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.

(3) This section does not apply to any of the following:

(a) An authorized individual in the conduct of research and development or flight test operations conducted by an aircraft manufacturer, the Federal Aviation Administration, or any other person authorized by the Federal Aviation Administration to conduct research and development or flight test operations.

(b) Members of the United States Department of Defense or the United States Department of Homeland Security acting in an official capacity for the purpose of research, development, operations, testing, or training.

(c) A person using a laser emergency signaling device to send an emergency distress signal.

(4) As used in this section, "directed energy device" means any device that emits highly focused energy and is capable of transferring that energy to a target to damage or interfere with its operation. The energy from a directed energy device includes, but is not limited to, the following forms of energy:

(a) Electromagnetic radiation, including radio frequency, microwave, lasers, and masers.

(b) Particles with mass, in particle-beam weapons and devices.

(c) Sound, in sonic weapons and devices.

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

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4064 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Compiler's note: House Bill No. 4064, referred to in enacting section 2, was filed with the Secretary of State May 9, 2017, and became 2017 PA 29, Eff. Aug. 7, 2017.