



**Senate Fiscal Agency**  
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BILL



ANALYSIS

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House Bill 5494 (Substitute H-1 as reported without amendment)  
House Bill 5495 (Substitute H-1 as reported without amendment)  
House Bill 5496 (as reported without amendment)  
Sponsor: Representative Michele Hoytenga (H.B. 5494 & 5496)  
Representative Roger Hauck (H.B. 5495)  
House Committee: Communications and Technology  
Senate Committee: Transportation

### **CONTENT**

House Bill 5494 (H-1) would amend the Unmanned Aircraft Systems Act to specify that a person would be guilty of an offense committed with the aid of an unmanned aircraft system (UAS) if the UAS were under the person's control and the activity performed with the aid of the UAS would have given rise to criminal liability under the penal law of the State if it were performed directly by the person without the aid of the UAS.

House Bill 5495 (H-1) would amend the Michigan Penal Code to prohibit a person from knowingly and intentionally using an unmanned aircraft in a manner that interfered with the operations of a key facility, correctional facility, or other law enforcement facility; to exclude commercial operators of an unmanned aircraft from this prohibition if the aircraft were operated in compliance with Federal Aviation Administration regulations, authorizations, and exemptions; and to prescribe a felony penalty for a person who violated the above prohibition.

House Bill 5496 would amend the Unmanned Aircraft Systems Act to prescribe several duties of the Michigan Aeronautics Commission pertaining to UAS regulatory advice and education.

Proposed MCL 259.320 (H.B. 5494)  
Proposed MCL 750.45a (H.B. 5495)  
MCL 259.303 et al. (H.B. 5496)

Legislative Analyst: Drew Krogulecki

### **FISCAL IMPACT**

House Bill 5494 (H-1) would have no fiscal impact on the State or local government.

House Bill 5495 (H-1) would have a negative fiscal impact on the State and local government. New felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. However, it is unknown how many people would be prosecuted under provisions of the bill. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government is approximately \$5,315 per prisoner per year.

House Bill 5496 would have a small negative fiscal impact on the Department of Transportation. The bill would have no fiscal impact on local units of government.

The bill would prescribe new duties for the Aeronautics Commission to provide advice and education regarding unmanned aircraft systems to other departments and to the public. There would likely be some expense related to these new duties, but those expenses would likely be small.

Date Completed: 12-7-18

Fiscal Analyst: Abbey Fraizer  
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