

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4544

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 508 (MCL 750.508), as amended by 2002 PA 672.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 508. (1) ~~Any person who shall equip a vehicle with a~~  
2 ~~radio receiving set that will receive signals sent on frequencies~~  
3 ~~assigned by the federal communications commission of the United~~  
4 ~~States of America for police purposes, or use the same in this~~  
5 ~~state unless the vehicle is used or owned by a peace officer, or a~~  
6 ~~bona fide amateur radio operator holding a technician class,~~  
7 ~~general, advanced, or extra class amateur license issued by the~~  
8 ~~federal communications commission, without first securing a permit~~  
9 ~~so to do from the director of the department of state police upon~~

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1 ~~application as he or she may prescribe,~~ A PERSON WHO HAS BEEN  
 2 CONVICTED OF 1 OR MORE FELONIES DURING THE PRECEDING 5 YEARS SHALL  
 3 NOT CARRY OR HAVE IN HIS OR HER POSSESSION A RADIO RECEIVING SET  
 4 THAT WILL RECEIVE SIGNALS SENT ON A FREQUENCY ASSIGNED BY THE  
 5 FEDERAL COMMUNICATIONS COMMISSION OF THE UNITED STATES FOR POLICE  
 6 OR OTHER LAW ENFORCEMENT, FIRE FIGHTING, EMERGENCY MEDICAL,  
 7 FEDERAL, STATE, OR LOCAL CORRECTIONS, OR HOMELAND SECURITY  
 8 PURPOSES. THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO IS  
 9 LICENSED AS AN AMATEUR RADIO OPERATOR BY THE FEDERAL COMMUNICATIONS  
 10 COMMISSION. A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A  
 11 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR  
 12 A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

13 (2) A PERSON SHALL NOT CARRY OR HAVE IN HIS OR HER POSSESSION  
 14 IN THE COMMISSION OR ATTEMPTED COMMISSION OF A CRIME A RADIO  
 15 RECEIVING SET THAT WILL RECEIVE SIGNALS SENT ON A FREQUENCY  
 16 ASSIGNED BY THE FEDERAL COMMUNICATIONS COMMISSION OF THE UNITED  
 17 STATES FOR POLICE OR OTHER LAW ENFORCEMENT, FIRE FIGHTING,  
 18 EMERGENCY MEDICAL, FEDERAL, STATE, OR LOCAL CORRECTIONS, OR  
 19 HOMELAND SECURITY PURPOSES. <<

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21 >> A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A  
 22 CRIME AS FOLLOWS:

23 (A) <<IF THIS SUBSECTION IS VIOLATED IN THE COMMISSION OR ATTEMPTED  
 24 COMMISSION OF A MISDEMEANOR PUNISHABLE BY A MAXIMUM TERM OF  
 IMPRISONMENT OF AT LEAST 93 DAYS BUT>> LESS THAN 1 YEAR, THE PERSON is  
 guilty of a

25 misdemeanor punishable by imprisonment for not more than 1 year or  
 26 a fine of not more than \$1,000.00, or both.

27 (B) <<IF THIS SUBSECTION IS VIOLATED IN THE COMMISSION OR ATTEMPTED  
 COMMISSION OF A MISDEMEANOR OR FELONY PUNISHABLE BY>>

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1 A MAXIMUM TERM OF IMPRISONMENT OF 1 YEAR OR MORE, THE PERSON IS  
2 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2  
3 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

<<(3) SUBSECTION (2) DOES NOT APPLY TO A PERSON WHO CARRIES OR HAS  
IN HIS OR HER POSSESSION A RADIO RECEIVING SET DESCRIBED IN SUBSECTION  
(2) IN THE COMMISSION OR ATTEMPTED COMMISSION OF A MISDEMEANOR PUNISHABLE  
BY A MAXIMUM TERM OF IMPRISONMENT OF LESS THAN 93 DAYS.>>

4 <<(4)>> ~~(2)~~ This section does not apply to the use of radar  
5 detectors.

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