



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 4868 (Substitute H-3 as reported without amendment)  
Sponsor: Representative Kurt Heise  
House Committee: Criminal Justice  
Senate Committee: Judiciary

**CONTENT**

The bill would amend the Aeronautics Code to prohibit a person who was operating an unmanned aerial vehicle (UAV) from knowingly operating it as follows:

- In a manner that obstructed a public safety operation.
- In a manner that interfered with the operations of a public utility, key facility, correctional facility, or public transportation service.
- To trespass as prohibited by the Michigan Penal Code, without lawful authority, on or above property owned or under the control of another person.
- To trespass, on or above property owned or under the control of another person, in order to subject another person to eavesdropping or surveillance.
- For the purpose of committing a felony or misdemeanor under Michigan law.

A violation would be a misdemeanor punishable by up to one year's imprisonment and/or a maximum fine of \$1,000. The prohibition would apply only to individuals operating a UAV for hobby or recreation purposes and would not affect the ability to investigate, arrest, prosecute, or convict a person for any other violation of Michigan law.

The bill would define "unmanned aerial vehicle" as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

"Public safety operation" would mean an operation that involves the actions of various law enforcement, fire protection, emergency medical response, or military officials in the course of performing their official duties. "Key facility" would mean that term as defined in Section 552c of the Penal Code (e.g., a refinery, electric utility facility, water treatment facility, fuel terminal, transportation facility, or hazardous waste facility).

MCL 259.9 et al.

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill could have a negative, though likely small, fiscal impact on State and local government. An increase in misdemeanor arrests and convictions could place incremental resource demands on local court systems, law enforcement, and jails. Any associated increase in fine revenue would be dedicated to public libraries.

Date Completed: 2-10-16

Fiscal Analyst: Ryan Bergan