

SUBSTITUTE FOR  
HOUSE BILL NO. 5421

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 539c (MCL 750.539c).

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

1           Sec. 539c. **(1)** ~~Any~~**A** person who is present or who is not  
2 present during a private conversation ~~and who wilfully~~**willfully**  
3 uses any device to eavesdrop upon the conversation without the  
4 consent of all parties ~~thereto,~~**to the conversation,** or who  
5 knowingly aids, employs or procures another person to ~~do the same~~  
6 ~~in violation of~~**violate** this section, is guilty of a felony  
7 punishable by imprisonment ~~in a state prison~~ for not more than 2  
8 years or by a fine of not more than \$2,000.00, or both.

9           **(2) This section does not apply to the use of any device for**



1 purposes of security monitoring of a residence or other structures  
2 on residential property if conducted in conformity with section  
3 539d.