

# Legislative Analysis

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## POSSESSION OF POLICE SCANNERS

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### House Bill 4544

Sponsor: Rep. Kevin Elsenheimer

Committee: Judiciary

Complete to 4-25-05

### A SUMMARY OF HOUSE BILL 4544 AS INTRODUCED 3-23-05

Currently, it is a misdemeanor to equip a vehicle with a radio receiving set capable of receiving signals for police purposes sent on frequencies assigned by the Federal Communications Commission (FCC) or to use such equipment without first securing a permit to do so (unless the vehicle is used or owned by authorized persons, such as peace officers or licensed amateur radio operators).

House Bill 4544 would amend the Michigan Penal Code to instead prohibit a person from committing or attempting to commit a crime while in possession of a radio receiving set that received signals sent on frequencies assigned by the FCC for public safety purposes. The penalty would remain the same – a misdemeanor punishable by up to one year imprisonment, a fine of not more than \$1,000, or both. In addition, the bill would allow a term of imprisonment imposed for this violation to run consecutively to any other sentence imposed for another violation that arose from the same transaction.

MCL 750.508

### FISCAL IMPACT:

The bill could increase local correctional costs, whether through costs of incarceration in the county jail or costs of misdemeanor probation supervision.

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