

# Legislative Analysis

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## WINDOW PEEPING INVOLVING TRESPASSING

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 4753**

**Sponsor: Rep. Andrew Meisner**

**Committee: Judiciary**

**Complete to 6-28-05**

### A SUMMARY OF HOUSE BILL 4753 AS INTRODUCED 5-10-05

Window peeping is included in the definition of a "disorderly person." Under the penal laws, being a disorderly person is a misdemeanor offense punishable by not more than 90 days imprisonment and/or a fine of not more than \$500.

House Bill 4753 would add a new section to the Michigan Penal Code to increase the penalty if window peeping involved trespassing. Under the bill, the crime would remain a misdemeanor but the punishment would increase to not more than 93 days imprisonment and/or a fine of not more than \$500 if a person entered onto the property of another to window-peep. (When the maximum term of imprisonment for a crime exceeds 90 days, certain fingerprinting and record retention requirements are triggered, including submitting a copy of the offender's fingerprints to the FBI.)

A second or subsequent conviction under the bill would be a misdemeanor punishable by imprisonment for not more than one year and/or a fine of not more than \$1,000. Furthermore, the person could still be charged with, convicted of, or punished for any other violation of law committed while violating or attempting to violate the bill's provisions.

MCL 750.168a

### FISCAL IMPACT:

To the extent that the bill increased the number of misdemeanor offenders receiving jail sentences, increased the length of those sentences, or increased the numbers of offenders on misdemeanor probation supervision, it could increase local correctional costs. Any increase in collection of penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of that revenue.

Legislative Analyst: Susan Stutzky

Fiscal Analyst: Marilyn Peterson

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.