
**Laws Against Criminal Uses of
Electromagnetic Energy Weapons**

(April 2007)
electrowell

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Laws Against Criminal Uses of Electromagnetic Energy Weapons

The European Union Parliament

The European Union Parliament passed Resolution A4-0005/1999 Section 27

The resolution calls for an international convention introducing a global ban on all developments and deployments of weapons that may provide for any forms of manipulation of human beings.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A4-1999-0005+0+DOC+XML+V0//EN#Contentd14937e476>

found by going to this link:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A4-1999-0005+0+DOC+XML+V0//EN>

H.R. 1160 (2001)

(Did not pass into law)

H.R. 1160 (2001) *(Did not pass into law).*

To terminate operation of the Extremely Low Frequency Communication System of the Navy
107th Congress, H. R. 1160, 1st session, Introduced March 22, 2001.

A BILL:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Section 1. Termination of operation of the extremely low frequency communication system.

(a) Termination required -- The Secretary of the Navy shall terminate the operation of the Extremely Low Frequency Communication System of the Navy.

(b) Maintenance infrastructure -- The Secretary shall maintain the infrastructure necessary for resuming operation of the Extremely Low Frequency Communication System.

Ms. Baldwin (for herself, Mr. Barrett, Mr. Blumenauer, Mr. Filner, Mr. Kind, Mr. Kucinich, Mr. Luther, Ms. McKinney, Mr. Oberstar, Mr. Obey, Mr. Sanders, Mr. Stark, and Mr. Wu) introduced the bill; which was referred to the Committee on Armed Services.

<http://www.govtrack.us/congress/billtext.xpd?bill=h107-1160>

H.R. 2977 (2001)

Space Preservation Act of 2001

Space Preservation Act of 2001

107th Congress, H.R. 2977, Introduced October 2, 2001.

In the House of Representatives, Mr. Kucinich introduced the following bill; which was referred to the Committee on Science, and in addition to the Committees on Armed Services, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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H.R. 2977 (2001)
Space Preservation Act of 2001

Space Preservation Act of 2001

A BILL:

To preserve the cooperative, peaceful uses of space for the benefit of all humankind by permanently prohibiting the basing of weapons in space by the United States, and to require the President to take action to adopt and implement a world treaty banning space-based weapons.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE. This Act may be cited as the "Space Preservation Act of 2001".

SEC. 2. REAFFIRMATION OF POLICY ON THE PRESERVATION OF PEACE IN SPACE.

Congress reaffirms the policy expressed in section 102(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451(a)), stating that it ``is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.".

SEC. 3. PERMANENT BAN ON BASING OF WEAPONS IN SPACE.

The President shall--

- (1) implement a permanent ban on space-based weapons of the United States and remove from space any existing space-based weapons of the United States; and
- (2) immediately order the permanent termination of research and development, testing, manufacturing, production, and deployment of all space-based weapons of the United States and their components.

SEC. 4. WORLD AGREEMENT BANNING SPACE-BASED WEAPONS.

The President shall direct the United States representatives to the United Nations and other international organizations to immediately work toward negotiating, adopting, and implementing a world agreement banning space-based weapons.

SEC. 5. REPORT.

The President shall submit to Congress not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, a report on--

- (1) the implementation of the permanent ban on space-based weapons required by section 3; and
- (2) progress toward negotiating, adopting, and implementing the agreement described in section 4.

SEC. 6. NON SPACE-BASED WEAPONS ACTIVITIES.

Nothing in this Act may be construed as prohibiting the use of funds for--

- (1) space exploration;
- (2) space research and development;
- (3) testing, manufacturing, or production that is not related to space-based weapons or systems; or
- (4) civil, commercial, or defense activities (including communications, navigation, surveillance, reconnaissance, early warning, or remote sensing) that are not related to space-based weapons or systems.

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H.R. 2977 (2001)
Space Preservation Act of 2001

Space Preservation Act of 2001

SEC. 7. DEFINITIONS.

In this Act:

- (1) The term "space" means all space extending upward from an altitude greater than 60 kilometers above the surface of the earth and any celestial body in such space.
- (2)(A) The terms "weapon" and "weapons system" mean a device capable of any of the following:
- (i) Damaging or destroying an object (whether in outer space, in the atmosphere, or on earth) by--
 - (I) firing one or more projectiles to collide with that object;
 - (II) detonating one or more explosive devices in close proximity to that object;
 - (III) directing a source of energy (including molecular or atomic energy, subatomic particle beams, electromagnetic radiation, plasma, or extremely low frequency (ELF) or ultra low frequency (ULF) energy radiation) against that object; or
 - (IV) any other unacknowledged or as yet undeveloped means.
 - (ii) Inflicting death or injury on, or damaging or destroying, a person (or the biological life, bodily health, mental health, or physical and economic wellbeing of a person)--
 - (I) through the use of any of the means described in clause (i) or subparagraph (B);
 - (II) through the use of land-based, seabased, or space-based systems using radiation, electromagnetic, psychotronic, sonic, laser, or other energies directed at individual persons or targeted populations for the purpose of information war, mood management, or mind control of such persons or populations; or
 - (III) by expelling chemical or biological agents in the vicinity of a person.
- (B) Such terms include exotic weapons systems such as--
- (i) electronic, psychotronic, or information weapons;
 - (ii) chemtrails;
 - (iii) high altitude ultra low frequency weapons systems;
 - (iv) plasma, electromagnetic, sonic, or ultrasonic weapons;
 - (v) laser weapons systems;
 - (vi) strategic, theater, tactical, or extraterrestrial weapons; and
 - (vii) chemical, biological, environmental, climate, or tectonic weapons.
- (C) The term "exotic weapons systems" includes weapons designed to damage space or natural ecosystems (such as the ionosphere and upper atmosphere) or climate, weather, and tectonic systems with the purpose of inducing damage or destruction upon a target population or region on earth or in space.

ALL ACTIONS:

10/2/2001:

Referred to the Committee on Science, and in addition to the Committees on Armed Services, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

10/2/2001:

Referred to House Science

H.R. 2977 (2001) Preservation Act of 2001

Preservation Act of 2001

10/4/2001:

Referred to the Subcommittee on Space and Aeronautics.

10/2/2001:

Referred to House Armed Services

12/6/2001:

Executive Comment Requested from DOD.

4/19/2002:

Unfavorable Executive Comment Received from DOD.

10/2/2001:

Referred to House International Relations.

Sponsor: Rep Kucinich, Dennis J. [OH-10] (introduced 10/2/2001) Cosponsors (None)

Committees: House Science; House Armed Services; House International Relations

Latest Major Action: 4/19/2002 House committee/subcommittee actions.

Status: Unfavorable Executive Comment Received from DOD.

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_bills&docid=f:h2977ih.txt

can also be found here:

<http://www.fas.org/sgp/congress/2001/hr2977.html>

The Human Rights org (2002)

The Human Rights org (2002)

The United Nations Institute for Disarmament Research (UNIDIR) formally listed a special category of psychotronic [psycho-"mind" & tronic="electronic"] mind control and other electromagnetic resonance weapons in their 2002 Media Guide to Disarmament.

<http://www.unidir.ch/pdf/activites/pdf2-act201.pdf>

City of Berkeley, California (2002)

City of Berkeley, California (2002)

"Endorsing the Space Preservation Act and Companion Space Preservation Treaty to Permanently Ban the Weaponization of Space".

<http://www.berkeleydaily.org/text/article.cfm?issue=06-03-05&storyID=21550>

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Michigan: House Bill 4513 (2004)
Public Act No. 256

Michigan: House Bill 4513 (2004)

Public Act No. 256 of 2003

(Effective: January 1, 2004).

STATE OF MICHIGAN

92ND LEGISLATURE

REGULAR SESSION OF 2003

ENROLLED HOUSE BILL No. 4513

92nd Legislature Regular Session, Public Act 256 of 2003: AN ACT to amend 1931 PA 328, entitled **"An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,"** by amending section 200h (MCL 750.200h), as amended by 2001 PA 135.

The People of the State of Michigan enact: Sec. 200h. As used in this chapter:

- (a) "Chemical irritant" means solid, liquid, or gas that through its chemical or physical properties, alone or in combination with 1 or more other substances, can be used to produce an irritant effect in humans, animals, or plants.
- (b) "Chemical irritant device" means a device designed or intended to release a chemical irritant.
- (c) "Computer", "computer network", and "computer system" mean those terms as defined in section 145d.
- (d) "Deliver" means that actual or constructive transfer of a substance or device from 1 person to another regardless of any agency relationship.
- (e) "For an unlawful purpose" includes, but is not limited to, having the intent to do any of the following:
 - (i) Frighten, terrorize, intimidate, threaten, harass, injure, or kill any person.
 - (ii) Damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over the property.
- (f) "Harmful biological device" means a device designed or intended to release a harmful biological substance.
- (g) "Harmful biological substance" means a bacteria, virus, or other microorganism or a toxic substance derived from or produced by an organism that can be used to cause death, injury, or disease in humans, animals, or plants.
- (h) "Harmful chemical device" means a device that is designed or intended to release a harmful chemical substance.
- (i) "Harmful chemical substance" means a solid, liquid, or gas that through its chemical or physical properties, alone or in combination with 1 or more other chemical substances, can be used to cause death, injury, or disease in humans, animals, or plants.
- (j) "Harmful radioactive material" means material that is radioactive and that can be used to cause death, injury, or disease in humans, animals, or growing plants by its radioactivity.

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Michigan: House Bill 4513

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(k) "Harmful electronic or electromagnetic device" means a device designed to emit or radiate or that, as a result of its design, emits or radiates an electronic or electromagnetic pulse, current, beam, signal, or microwave that is intended to cause harm to others or cause damage to, destroy, or disrupt any electronic or telecommunications system or device, including, but not limited to, a computer, computer network, or computer system.

(l) "Harmful radioactive device" means a device that is designed or intended to release a harmful radioactive material.

(m) "Imitation harmful substance or device" means a substance or device that is designed or intended to represent 1 or more of the following or that is alleged to be 1 of the following but that is not any of the following:

(i) A harmful biological device.

(ii) A harmful biological substance.

(iii) A harmful chemical device.

(iv) A harmful chemical substance.

(v) A harmful radioactive material.

(vi) A radioactive device.

(vii) A harmful electronic or electromagnetic device.

(n) "Serious impairment of a body function" means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

(o) "Telecommunications system" means that term as defined in section 219a.

Enacting section 1. This amendatory act takes effect January 1, 2004.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4514 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.

Clerk of the House of Representatives

Secretary of the Senate

Approved by the Governor

Sponsors: Mike Nofs - (primary). Edward J Gaffney, John P Stakoe, John Garfield, John Stahl, Lorence Wenke, William Van Regenmorter, David B Robertson, Ruth Johnson, Sal Rocca, Jim Howell, Shelley Taub, Bruce Caswell, Randy Richardville, David Palsrok, Sandra Caul, Joe Hune, Gary Newell, Craig M DeRoche, Clark Bisbee, Mary Ann Middaugh, Jack Brandenburg, Daniel J Acciavatti, Philip J LaJoy, John R Pastor, Tom Casperson, Susan Tabor, Leon Drolet, Matt Milosch, Steve Bieda, Alexander C Lipsey, Paul Gielegem, Andy Meisner, John Moolenaar, Chris Ward.

Categories: Crimes, definitions; Crimes, other; Crimes, weapons; Crimes, terrorism; Crimes, public safety

Crimes; definitions; "harmful electronic or electromagnetic device"; define. Amends sec. 200h of 1931

PA 328 (MCL 750.200h). TIE BAR WITH: HB 4514'03

Last Action: 12/30/2003 - assigned PA 256'03 with immediate effect.

<http://www.legislature.mi.gov/documents/2003-2004/publicact/htm/2003-PA-0256.htm>

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Michigan: House Bill 4514 (2004)
Public Act No. 257

Michigan: House Bill 4514 (2004)
Public Act No. 257

(EFFECTIVE DATE: January 1, 2004)
Public Acts of 2003.
REGULAR SESSION OF 2003
STATE OF MICHIGAN
92ND LEGISLATURE
ENROLLED HOUSE BILL No. 4514

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 200i, 200k, 200l, 204, 207, 209, 210, 211a, and 212a (MCL 750.200i, 750.200k, 750.200l, 750.204, 750.207, 750.209, 750.210, 750.211a, and 750.212a), sections 200i and 200k as added by 1998 PA 207, section 200l as added by 2001 PA 135, sections 204 and 211a as amended by 1998 PA 206, sections 207, 209, and 210 as amended by 1998 PA 208, and section 212a as amended by 2002 PA 140, and by adding section 200m.

The People of the State of Michigan enact:

Sec. 200i. (1) A person shall not manufacture, deliver, possess, transport, place, use, or release any of the following for an unlawful purpose:

- (a) A harmful biological substance or a harmful biological device.
- (b) A harmful chemical substance or a harmful chemical device.
- (c) A harmful radioactive material or a harmful radioactive device.
- (d) A harmful electronic or electromagnetic device.

(2) A person who violates subsection (1) is guilty of a crime as follows:

(a) Except as provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment

for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation directly or indirectly results in property damage, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation directly or indirectly results in personal injury to another individual other than serious impairment of a body function or death, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation directly or indirectly results in serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or any term of years or a fine of not more than \$25,000.00, or both.

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Michigan: House Bill 4514 (2004) Public Act No. 257

(e) If the violation directly or indirectly results in the death of another individual, the person is guilty of a felony and shall be punished by imprisonment for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

Sec. 200k. (1) Sections 200h to 200j do not apply to any of the following:

(a) A member of the military forces of the United States or of this state acting under a lawful order or while engaged in a lawful military activity.

(b) A law enforcement officer enforcing the laws of the United States or of this state or while engaged in a lawful law enforcement activity.

(c) A person engaged in self-defense or the lawful defense of another person.

(d) Unless acting with an unlawful purpose, a person acting within the scope of his or her employment under a rule or a permit or license of the United States or of this state.

(2) Unless acting with an unlawful purpose, a person who within the scope of his or her employment violates a rule or a provision of a permit or license issued by the United States or this state to manufacture, deliver, possess, transport, place, classify, label, use, or release a substance or device shall not be prosecuted under this chapter.

(3) This chapter does not prohibit the possession and use of a device that uses electro-muscular disruption technology as permitted under section 224a.

Sec. 200l. (1) A person shall not commit an act with the intent to cause an individual to falsely believe that the individual has been exposed to a harmful biological substance, harmful biological device, harmful chemical substance, harmful chemical device, harmful radioactive material, harmful radioactive device, or harmful electronic or electromagnetic device.

(2) A person who violates subsection (1) is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$10,000.00, or both.

Sec. 200m. A charge under or a conviction or punishment for a violation of this chapter does not prevent a person from being charged with, convicted of, or punished for any other violation of law arising from the same transaction.

Sec. 204. (1) A person shall not send or deliver to another person or cause to be taken or received by any person any kind of explosive substance or any other dangerous thing with the intent to frighten, terrorize, intimidate, threaten, harass, injure, or kill any person, or with the intent to damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over that property.

(2) A person who violates this section is guilty of a crime as follows:

(a) Except as otherwise provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

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(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

Sec. 207. (1) A person shall not place an explosive substance in or near any real or personal property with the intent to frighten, terrorize, intimidate, threaten, harass, injure, or kill any person, or with the intent to damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over that property.

(2) A person who violates this section is guilty of a crime as follows:

(a) Except as otherwise provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or for any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

Sec. 209. (1) A person who places an offensive or injurious substance or compound in or near to any real or personal property with intent to wrongfully injure or coerce another person or to injure the property or business of another person, or to interfere with another person's use, management, conduct, or control of his or her business or property is guilty of a crime as follows:

(a) Except as otherwise provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or for any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

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(2) A person who places an offensive or injurious substance or compound in or near to any real or personal property with the intent to annoy or alarm any person is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$3,000.00, or both.

Sec. 210. (1) A person shall not carry or possess an explosive or combustible substance or a substance or compound that when combined with another substance or compound will become explosive or combustible or an article containing an explosive or combustible substance or a substance or compound that when combined with another substance or compound will become explosive or combustible, with the intent to frighten, terrorize, intimidate, threaten, harass, injure, or kill any person, or with the intent to damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over that property.

(2) A person who violates subsection (1) is guilty of a crime as follows:

(a) Except as provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or for any term of years or a fine of not more than \$25,000.00, or both.

(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

Sec. 211a. (1) A person shall not manufacture, buy, sell, furnish, or have in his or her possession any device that is designed to explode or that will explode upon impact or with the application of heat or a flame, or that is highly incendiary, with the intent to frighten, terrorize, intimidate, threaten, harass, injure, or kill any person, or with the intent to damage or destroy any real or personal property without the permission of the property owner or, if the property is public property, without the permission of the governmental agency having authority over that property.

(2) A person who violates subsection (1) is guilty of a crime as follows:

(a) Except as provided in subdivisions (b) to (e), the person is guilty of a felony punishable by imprisonment for not more than 15 years or a fine of not more than \$10,000.00, or both.

(b) If the violation damages the property of another person, the person is guilty of a felony punishable by imprisonment for not more than 20 years or a fine of not more than \$15,000.00, or both.

(c) If the violation causes physical injury to another individual, other than serious impairment of a body function, the person is guilty of a felony punishable by imprisonment for not more than 25 years or a fine of not more than \$20,000.00, or both.

(d) If the violation causes serious impairment of a body function to another individual, the person is guilty of a felony punishable by imprisonment for life or any term of years or a fine of not more than \$25,000.00, or both.

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(e) If the violation causes the death of another individual, the person is guilty of a felony and shall be imprisoned for life without eligibility for parole and may be fined not more than \$40,000.00, or both.

Sec. 212a. (1) If a person violates this chapter and the violation is committed in or is directed at a vulnerable target, the person is guilty of a felony punishable by imprisonment for not more than 20 years. The court may order a term of imprisonment imposed under this section to be served consecutively to the term of imprisonment for the underlying violation.

(2) As used in this section, "vulnerable target" means any of the following:

(a) A child care center or day care center as defined in section 1 of 1973 PA 116, MCL 722.111.

(b) A health care facility or agency as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(c) A building or structure open to the general public.

(d) A church, synagogue, mosque, or other place of religious worship.

(e) A public, private, denominational, or parochial school offering developmental kindergarten, kindergarten, or any grade 1 through 12.

(f) An institution of higher education.

(g) A stadium.

(h) A transportation structure or facility open to the public, including, but not limited to, a bridge, a tunnel, a public highway, or a railroad.

(i) An airport. As used in this subdivision, "airport" means that term as defined in section 2 of the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.2.

(j) Port facilities. As used in this subdivision, "port facilities" means that term as defined in section 2 of the Hertel-Law-T. Stopczynski port authority act, 1978 PA 639, MCL 120.102.

(k) A public services facility. As used in this subdivision, "public services facility" means any of the following facilities whether publicly or privately owned:

(i) A natural gas refinery, natural gas storage facility, or natural gas pipeline.

(ii) An electric, steam, gas, telephone, power, water, or pipeline facility.

(iii) A nuclear power plant, nuclear reactor facility, or nuclear waste storage facility.

(l) A petroleum refinery, petroleum storage facility, or petroleum pipeline.

(m) A vehicle, locomotive or railroad car, aircraft, or watercraft used to provide transportation services to the public or to provide for the movement of goods in commerce.

(n) A building, structure, or other facility owned or operated by the federal government, by this state, or by a political subdivision or any other instrumentality of this state or of a local unit of government.

Enacting section 1. This amendatory act takes effect January 1, 2004.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4513 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.

Clerk of the House of Representatives

Secretary of the Senate

Approved by the Governor

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Michigan: House Bill 4514 (2004)

Michigan: House Bill 4514 (2004) Public Act No. 257

Introduced by Reps. Van Regenmorter, Nofs, Howell, Caswell, Richardville, Palsrok, Caul, Hune, Newell, DeRoche, Bisbee, Middaugh, Brandenburg, Acciavatti, LaJoy, Pastor, Casperson, Tabor, Drolet, Milosch, Bieda, Lipsey, Gielegem, Meisner, Moolenaar and Ward.

<http://www.legislature.mi.gov/documents/2003-2004/publicact/htm/2003-PA-0257.htm>

Massachusetts: Chapter 170 of the Acts of 2004

Massachusetts: Chapter 170 of the Acts of 2004

An Act Relative to the Possession of Electronic Weapons

Whereas , The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith certain possession and use of electronic weapons, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by striking out section 131J, as appearing in the 2002 Official Edition, and inserting in place thereof the following section:-

Section 131J. No person shall possess a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill, except:

- (1) a federal, state or municipal law enforcement officer, or member of a special reaction team in a state prison or designated special operations or tactical team in a county correctional facility, acting in the discharge of his official duties who has completed a training course approved by the secretary of public safety in the use of such a device or weapon designed to incapacitate temporarily; or
- (2) a supplier of such devices or weapons designed to incapacitate temporarily, if possession of the device or weapon is necessary to the supply or sale of the device or weapon within the scope of such sale or supply enterprise. No person shall sell or offer for sale such device or weapon, except to federal, state or municipal law enforcement agencies. A device or weapon sold under this section shall include a mechanism for tracking the number of times the device or weapon has been fired. The secretary of public safety shall adopt regulations governing who may sell or offer to sell such devices or weapons in the commonwealth and governing law enforcement training on the appropriate use of portable electrical weapons.

Whoever violates this section shall be punished by a fine of not less than \$500 nor more than \$1,000 or by imprisonment in the house of correction for not less than 6 months nor more than 2 1/2 years, or by both such fine and imprisonment. A law enforcement officer may arrest without a warrant any person whom he has probable cause to believe has violated this section.

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Massachusetts: Chapter 170 of the Acts of 2004

Massachusetts: Chapter 170 of the Acts of 2004

SECTION 2. The secretary of public safety shall develop a uniform protocol directing state police and municipal police officers to collect data pursuant to this act. Such data shall include the number of times the device or weapon has been fired and the identifying characteristics, including the race and gender, of the individuals who have been fired upon. Not later than 1 year after the effective date of this act, the secretary of public safety shall transmit the necessary data to a university in the commonwealth with experience in the analysis of such data, for annual preparation of an analysis and report of its findings. The secretary shall forthwith transmit the university's annual report to the department of the attorney general, the department of state police, the Massachusetts Chiefs of Police Association, the executive office of public safety and the clerks of the house of representatives and the senate.

Approved July 15, 2004.

<http://www.mass.gov/legis/laws/seslaw04/sl040170.htm>

Maine: Chapter 264 H.P. 868 - L.D. 1271 (2005)

Maine: Chapter 264 H.P. 868 - L.D. 1271 (2005)

An Act Regarding Criminal Use of an Electronic Weapon

PUBLIC LAWS, First Special Session of the 122nd, CHAPTER 264

H.P. 868 - L.D. 1271, Effective September 17, 2005.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §1004 is enacted to read:

§1004. Criminal use of electronic weapon

1. Except as provided in subsection 4, a person is guilty of criminal use of an electronic weapon if the person intentionally, knowingly or recklessly uses an electronic weapon upon any other person.

2. As used in this section, "electronic weapon" means a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to have a disabling effect upon human beings.

3. Criminal use of an electronic weapon is a Class D crime.

4. This section does not apply to the use of an electronic weapon by:

A. A law enforcement officer, corrections officer or corrections supervisor engaged in the performance of the law enforcement officer's, corrections officer's or corrections supervisor's public duty if the officer's or corrections supervisor's appointing authority has authorized such use of an electronic weapon; or

B. A person using deadly force when that use is for the purpose of:

(1) Defending that person or a 3rd person as authorized under section 108, subsection 2; or

(2) Defending that person's dwelling place as authorized under section 104, subsections 3 and 4.

<http://janus.state.me.us/legis/ros/lom/lom122nd/7pub251%2D300/pub251%2D300%2D22.htm>

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**Laws Against Criminal Uses of
Electromagnetic Energy Weapons**

(April 2007)

*Compiled by electrowell
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