

**THE MICHIGAN PENAL CODE (EXCERPT)**  
**Act 328 of 1931**

**750.200h Definitions.**

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.

(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.

**History:** Add. 1998, Act 207, Eff. Oct. 1, 1998;—Am. 2001, Act 135, Imd. Eff. Oct. 23, 2001;—Am. 2003, Act 256, Eff. Jan. 1, 2004.