

HOUSE BILL No. 5157

October 9, 1989, Introduced by Reps. Kilpatrick, DeMars, Profit, Murphy, Gubow, Wallace, Gire, Jaye, Bartnik, Martin, Bender, Perry Bullard, Emerson and Saunders and referred to the Committee on House Oversight.

A bill to amend section 1a of Act No. 17 of the Public Acts of 1909, entitled as amended

"An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties,"

as added by Act No. 343 of the Public Acts of 1982, being section 800.281a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1a of Act No. 17 of the Public Acts of
2 1909, as added by Act No. 343 of the Public Acts of 1982, being
3 section 800.281a of the Michigan Compiled Laws, is amended to
4 read as follows:

1 Sec. 1a. As used in this act:

2 (a) "Alcoholic liquor" means any spirituous, vinous, malt,
3 or fermented liquor, liquid, or compound whether or not medi-
4 cated, containing 1/2 of 1% or more of alcohol by volume and
5 which is or readily can be made suitable for beverage purposes.

6 (b) "Chief administrator" means the warden, superintendent,
7 or other employee designated by the department of corrections as
8 the chief administrative officer of a correctional facility.

9 (c) "Controlled substance" means a drug, substance, or imme-
10 diate precursor in schedules 1 to 5 of part 72 of THE PUBLIC
11 HEALTH CODE, Act No. 368 of the Public Acts of 1978, as amended,
12 being sections 333.7201 to 333.7231 of the Michigan Compiled
13 Laws.

14 (d) "Correctional facility" means any of the following:

15 (i) A state prison, reformatory, work camp, or community
16 corrections center.

17 (ii) A privately operated community corrections center or
18 resident home which houses prisoners.

19 (iii) The land on which a facility described in subparagraph
20 (i) or (ii) is located.

21 (e) "Prescription drug" means prescription drug as defined
22 in section 17708 of Act No. 368 of the Public Acts of 1978,
23 being section 333.17708 of the Michigan Compiled Laws.

24 (f) "Prisoner" means a person committed to the ~~Michigan~~
25 ~~commission on~~ DEPARTMENT OF corrections who has not been
26 released on parole or discharged.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. _____ or House Bill No. 5150 (request
3 no. 03623'89) of the 85th Legislature is enacted into law.