

# HOUSE BILL No. 5588

February 15, 2018, Introduced by Reps. Green and Lasinski and referred to the Committee on Communications and Technology.

A bill to amend 1909 PA 17, entitled

"An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and wireless communication devices 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, substances, and wireless communication devices; to prohibit or limit the selling, giving, or furnishing of certain weapons, substances, and wireless communication devices to prisoners; to prohibit the control or possession of certain weapons, substances, and wireless communication devices by prisoners; and to prescribe penalties,"

by amending section 3a (MCL 800.283a), as amended by 2012 PA 255.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 3a. (1) A person shall not sell, give, or furnish, or aid  
2 in the selling, giving, or furnishing of, a cellular telephone or  
3 other wireless communication device to a prisoner in a correctional

1 facility, or **DELIVER BY UNMANNED AIRCRAFT OR** dispose of a cellular  
2 telephone or other wireless communication device in or on the  
3 grounds of a correctional facility.

4 (2) A prisoner shall not possess or use a cellular telephone  
5 or other wireless communication device in a correctional facility  
6 or on the grounds of a correctional facility except as authorized  
7 by the department of corrections.

8 (3) A cellular telephone or other wireless communication  
9 device sold, given, furnished, possessed, or used in violation of  
10 this section is subject to confiscation and disposal under this  
11 section as contraband. If a cellular telephone or other wireless  
12 communication device is confiscated under this section, and the  
13 cellular telephone or other wireless device is serviceable but no  
14 longer needed for purposes of a criminal prosecution under this  
15 section, the cellular telephone or other wireless device ~~shall~~**MUST**  
16 be donated to a nonprofit organization that provides cellular  
17 telephones and other wireless communication devices to military  
18 personnel, or to any other charity approved by the ~~warden~~**CHIEF**  
19 **ADMINISTRATOR** of the facility where the device was confiscated.

20 Enacting section 1. This amendatory act takes effect 90 days  
21 after the date it is enacted into law.

22 Enacting section 2. This amendatory act does not take effect  
23 unless House Bill No. 5427 of the 99th Legislature is enacted into  
24 law.