

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 551**

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 added by 2006 PA 540.

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
4 facility, or dispose of a cellular telephone or other wireless

1 communication device in or on the grounds of a correctional
2 facility.

3 (2) A PRISONER SHALL NOT POSSESS OR USE A CELLULAR TELEPHONE
4 OR OTHER WIRELESS COMMUNICATION DEVICE IN A CORRECTIONAL FACILITY
5 OR ON THE GROUNDS OF A CORRECTIONAL FACILITY EXCEPT AS AUTHORIZED
6 BY THE DEPARTMENT OF CORRECTIONS.

7 (3) A CELLULAR TELEPHONE OR OTHER WIRELESS COMMUNICATION
8 DEVICE SOLD, GIVEN, FURNISHED, POSSESSED, OR USED IN VIOLATION OF
9 THIS SECTION IS SUBJECT TO CONFISCATION AND DISPOSAL UNDER THIS
10 SECTION AS CONTRABAND. IF A CELLULAR TELEPHONE OR OTHER WIRELESS
11 COMMUNICATION DEVICE IS CONFISCATED UNDER THIS SECTION, AND THE
12 CELLULAR TELEPHONE OR OTHER WIRELESS DEVICE IS SERVICEABLE BUT NO
13 LONGER NEEDED FOR PURPOSES OF A CRIMINAL PROSECUTION UNDER THIS
14 SECTION, THE CELLULAR TELEPHONE OR OTHER WIRELESS DEVICE SHALL BE
15 DONATED TO A NONPROFIT ORGANIZATION THAT PROVIDES CELLULAR
16 TELEPHONES AND OTHER WIRELESS COMMUNICATION DEVICES TO MILITARY
17 PERSONNEL, OR TO ANY OTHER CHARITY APPROVED BY THE WARDEN OF THE
18 FACILITY WHERE THE DEVICE WAS CONFISCATED.