

Act No. 255
Public Acts of 2012
Approved by the Governor
June 26, 2012
Filed with the Secretary of State
July 2, 2012
EFFECTIVE DATE: July 2, 2012

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

**Introduced by Senators Hansen, Proos, Marleau, Brandenburg, Pappageorge, Jones, Rocca, Nofs and
Booher**

ENROLLED SENATE BILL No. 551

AN ACT 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:

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

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

(3) A cellular telephone or other wireless communication device sold, given, furnished, possessed, or used in violation of this section is subject to confiscation and disposal under this section as contraband. If a cellular telephone or other wireless communication device is confiscated under this section, and the cellular telephone or other wireless device is serviceable but no longer needed for purposes of a criminal prosecution under this section, the cellular telephone or other wireless device shall be donated to a nonprofit organization that provides cellular telephones and other wireless communication devices to military personnel, or to any other charity approved by the warden of the facility where the device was confiscated.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Sam E. Randall

Clerk of the House of Representatives

Approved

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Governor