

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 552

A bill to amend 1981 PA 7, entitled

"An act to prohibit without authorization the bringing into jails and other specified areas any alcoholic liquor, controlled substances, weapons, and certain other items; the selling or furnishing to prisoners, and the improper disposal of any alcoholic liquor, controlled substances, weapons, and certain other items; the possession or control by prisoners of any alcoholic liquor, controlled substances, weapons, and certain other items; to prescribe a penalty; and to repeal certain acts and parts of acts,"

(MCL 801.261 to 801.267) by adding section 2a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 2A. (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 JAIL OR A  
4   BUILDING APPURTENANT TO A JAIL OR ON GROUNDS USED FOR JAIL  
5   PURPOSES, OR DISPOSE OF A CELLULAR TELEPHONE OR OTHER WIRELESS  
6   COMMUNICATION DEVICE IN A JAIL OR A BUILDING APPURTENANT TO A JAIL

1 OR ON GROUNDS USED FOR JAIL PURPOSES.

2 (2) A PRISONER SHALL NOT POSSESS OR USE A CELLULAR TELEPHONE  
3 OR OTHER WIRELESS COMMUNICATION DEVICE IN A JAIL OR A BUILDING  
4 APPURTENANT TO A JAIL OR ON GROUNDS USED FOR JAIL PURPOSES EXCEPT  
5 AS AUTHORIZED BY THE PERSON IN CHARGE OF THE JAIL.

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