

**SUBSTITUTE FOR  
SENATE BILL NO. 630**

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 the title and sections 1 and 2 (MCL 800.281 and 800.282), the title as amended by 2006 PA 540 and sections 1 and 2 as amended by 1982 PA 343.



1 reason to know that another person is a prisoner shall not sell,  
2 give, or furnish, either directly or indirectly, any alcoholic  
3 liquor, prescription drug, poison, **explosive, acid, caustic**  
4 **substance, toxin, material for an incendiary device, detailed local**  
5 **map, bodily fluid stored in a container, tattoo device, dangerous**  
6 **tool, electronic information device, electronic accessory, item**  
7 **containing personal information of an employee of the department,**  
8 **item used to facilitate any criminal enterprise,** or controlled  
9 substance to that prisoner anywhere outside of a correctional  
10 facility.

11 (3) Except as provided in section 2, a person shall not bring  
12 any alcoholic liquor, prescription drug, poison, or controlled  
13 substance into or onto a correctional facility.

14 (4) Except as provided in section 2, a prisoner shall not  
15 possess any alcoholic liquor, prescription drug, poison, **explosive,**  
16 **acid, caustic substance, toxin, material for an incendiary device,**  
17 **detailed local map, bodily fluid stored in a container, tattoo**  
18 **device, dangerous tool, electronic information device, electronic**  
19 **accessory, item containing personal information of an employee of**  
20 **the department, item used to facilitate any criminal enterprise, or**  
21 controlled substance.

22 (5) As used in this section and section 2:

23 (a) "Dangerous tool" means a tool or item that could pose a  
24 threat to the security or good order of a correctional facility,  
25 including, but not limited to, a glass, wire, or metal cutting  
26 tool; a tool that utilizes a replaceable blade; a razor blade; a  
27 knife; a cleaver; a pick or other sharpened tool; a powered hand  
28 tool or accessory, including, but not limited to, a drill or drill  
29 bit; a hand tool; a grinder; a hone; an abrasive tool; a sanding

1 tool; a hypodermic needle; a syringe; a pair of barber scissors; or  
2 a hair clipper.

3 (b) "Detailed local map" means a detailed road map for any  
4 area within this state, an adjacent state to this state, or  
5 Ontario, Canada.

6 (c) "Electronic accessory" means an accessory for a cellular  
7 telephone, including, but not limited to, a cord or battery.

8 (d) "Electronic information device" means a device that is not  
9 a cellular telephone or wireless communication device and is used  
10 to store, create, transfer, or transmit data, including, but not  
11 limited to, a video, a photo, or other electronic information.

12 (e) "Personal information" means a home address, a telephone  
13 number, or any financial information.

14 Sec. 2. (1) A person is not in violation of section 1 **for the**  
15 **sale, giving, furnishing, bringing, or possession of alcoholic**  
16 **liquor, a prescription drug, or a controlled substance** if all of  
17 the following occur:

18 (a) A licensed physician certifies in writing that the  
19 alcoholic liquor, prescription drug, or controlled substance is  
20 necessary for the health of the prisoner or employee.

21 (b) The certificate contains **all of** the following information:

22 (i) The quantity of the alcoholic liquor, prescription drug, or  
23 controlled substance ~~which~~**that** is to be furnished to the prisoner  
24 or employee.

25 (ii) The name of the prisoner or employee.

26 (iii) The time when the alcoholic liquor, prescription drug, or  
27 controlled substance is to be furnished.

28 (iv) The reason why the alcoholic liquor, prescription drug, or  
29 controlled substance is needed.

1 (c) The certificate has been delivered to the chief  
 2 administrator of the correctional facility to which the prisoner is  
 3 assigned or at which the employee works.

4 (d) The chief administrator of the correctional facility or  
 5 the designee of the chief administrator approves in advance the  
 6 sale, giving, furnishing, bringing, or possession of the alcoholic  
 7 liquor, prescription drug, or controlled substance.

8 (e) The sale, giving, furnishing, bringing, or possession of  
 9 the alcoholic liquor, prescription drug, or controlled substance is  
 10 in compliance with the certificate.

11 (2) Not more than 2 ounces of wine for the use of the clergy  
 12 may be brought into or onto a correctional facility by a person of  
 13 the clergy of any religious denomination for clergy purposes.

14 (3) Section 1(3) ~~shall~~**does** not apply to the bringing of  
 15 alcoholic liquor, prescription drugs, or controlled substances into  
 16 or onto a correctional facility for the ordinary hospital supply of  
 17 the correctional facility.

18 (4) Section 1(3) ~~shall~~**does** not apply to the bringing of any  
 19 alcoholic liquor, prescription drug, poison, or controlled  
 20 substance into or onto a privately operated community corrections  
 21 center or resident home ~~which~~**that** houses prisoners for the use of  
 22 the owner, operator, or nonprisoner resident of that center or home  
 23 if the owner or operator lives in the center or home, or for the  
 24 use of a nonprisoner guest of the owner, operator, or nonprisoner  
 25 resident.

26 (5) **Section 1 does not apply to the giving, furnishing, or**  
 27 **possession of a tattoo device, dangerous tool, electronic**  
 28 **information device, electronic accessory, or item containing**  
 29 **personal information of an employee of the department if all of the**

1 following apply:

2 (a) The department authorizes the giving, furnishing, or  
3 possession in a written policy.

4 (b) The prisoner is under the supervision of an employee of  
5 the department while the prisoner possesses or is provided the  
6 tool, device, accessory, or item.