

LIQUOR, NARCOTICS, AND WEAPONS PROHIBITED IN PRISONS (EXCERPT)
Act 17 of 1909

800.283 Weapons; prohibitions.

Sec. 3.

(1) Unless authorized by the chief administrator of the correctional facility, a weapon or other implement which may be used to injure a prisoner or other person, or in assisting a prisoner to escape from imprisonment, shall not be sold, given, or furnished, either directly or indirectly, to a prisoner who is in or on the correctional facility, or be disposed of in a manner or in a place that it may be secured by a prisoner who is in or on the correctional facility.

(2) Unless authorized by the chief administrator of the correctional facility, a person, who knows or has reason to know that another person is a prisoner, shall not sell, give, or furnish, either directly or indirectly, to that prisoner anywhere outside of a correctional facility a weapon or other implement which may be used to injure a prisoner or other person or in assisting a prisoner to escape from imprisonment.

(3) Unless authorized by the chief administrator of the correctional facility, a weapon or other implement which may be used to injure a prisoner or other person, or in assisting a prisoner to escape from imprisonment, shall not be brought into or onto any correctional facility.

(4) Unless authorized by the chief administrator of the correctional facility, a prisoner shall not have in his or her possession or under his or her control a weapon or other implement which may be used to injure a prisoner or other person, or to assist a prisoner to escape from imprisonment.

History: 1909, Act 17, Eff. Sept. 1, 1909 ;-- CL 1915, 1829 ;-- CL 1929, 17655 ;-- CL 1948, 800.283 ;-- Am. 1972, Act 105, Imd. Eff. Mar. 29, 1972 ;-- Am. 1982, Act 343, Imd. Eff. Dec. 21, 1982

Constitutionality: In *People v Stanton*, 400 Mich. 192; 253 NW2d 650 (1977), the Michigan supreme court declared 1972 PA 105, which amended this section, unconstitutional due to a defect in the title to 1909 PA 17. The law as embodied in the 1972 amendment was voided, not the act title. The amendment of the title by 1977 PA 164 following the declaration of unconstitutionality of a portion of the act itself did not suffice to resurrect the voided portion. If the voided portion is to be once again considered a part of the law, it must be "revised, altered, or amended" and "re-enacted and published at length" pursuant to Const 1963, art IV, Â§ 25. *People v Clabin*, 411 Mich 472; 307 NW2d 682 (1981). This section and the title to 909 PA 17 were subsequently amended by 1982 PA 343.