1 State of Arkansas

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 1242

4

5 By: Representative Steel

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For An Act To Be Entitled

8 AN ACT CONCERNING THE OFFENSE OF FURNISHING,

9 POSSESSING, OR USING PROHIBITED ARTICLES IN A

10 CORRECTIONAL FACILITY; AND FOR OTHER PURPOSES.

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Subtitle

14 CONCERNING THE OFFENSE OF FURNISHING,

15 POSSESSING, OR USING PROHIBITED ARTICLES

16 IN A CORRECTIONAL FACILITY.

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 5-54-119(c) and (d), concerning the offense

22 of furnishing, possessing, or using prohibited articles by an inmate in the

23 Department of Correction, are amended to read as follows:

24 (c)(1) A person commits possessing a prohibited article if, being an

25 inmate of ~~the Department of Correction~~ a correctional facility or in the

26 custody of a correctional facility, the person knowingly possesses a:

27 (A) Cellular telephone or other communication device; or

28 (B) Component of a cellular telephone or other

29 communication device.

30 (2) Possessing a prohibited article is a Class B felony.

31 (d)(1) A person commits using a prohibited article if, being an inmate

32 of ~~the Department of Correction~~ a correctional facility or in the custody of

33 a correctional facility, the person knowingly ~~used~~ uses a cellular telephone

34 or other communication device to commit or to attempt, conspire, or solicit

35 to commit:

36 (A) An escape from the custody of ~~the Department of~~

1 ~~Correction~~ the correctional facility;

2   (B) Engaging in a continuing criminal enterprise, § 5-64-

3 405; or

4   (C) A violent felony as defined at § 5-4-501(d)(2).

5   (2) Using a prohibited article is a Class A felony.

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8   **APPROVED: 02/19/2013**

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