

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4
5 By: Representative Steel

A Bill

HOUSE BILL 1242

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.

Subtitle

14 CONCERNING THE OFFENSE OF FURNISHING,
15 POSSESSING, OR USING PROHIBITED ARTICLES
16 IN A CORRECTIONAL FACILITY.

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

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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