

HOUSE BILL 159

E1, E4

4r0117
CF SB 113

By: **Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 15, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Contraband – Telecommunication Devices – Penalty**

3 FOR the purpose of prohibiting a person from attempting to deliver a
4 telecommunication device to a person detained or confined in a certain place of
5 confinement; making it a felony instead of a misdemeanor to commit a certain
6 offense relating to telecommunication devices in a place of confinement; altering
7 a certain penalty; and generally relating to the prohibition against
8 telecommunication devices in a place of confinement.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 9–417
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Criminal Law**

17 9–417.

18 (a) (1) A person may not deliver **OR ATTEMPT TO DELIVER** a
19 telecommunication device to a person detained or confined in a place of confinement
20 with signs posted indicating that such conduct is prohibited.

21 (2) A person may not possess a telecommunication device with the
22 intent to deliver it to a person detained or confined in a place of confinement with
23 signs posted indicating that such conduct is prohibited.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) A person may not deposit or conceal a telecommunication device in
2 or about a place of confinement with signs posted indicating that such conduct is
3 prohibited or on any land appurtenant to the place of confinement with the intent that
4 it be obtained by a person detained or confined in the place of confinement.

5 (4) A person detained or confined in a place of confinement may not
6 knowingly possess or receive a telecommunication device.

7 (b) A person who violates this section is guilty of a [~~misdemeanor~~] **FELONY**
8 and on conviction is subject to imprisonment not exceeding [~~3~~] **5** years or a fine not
9 exceeding [~~\$1,000~~] **\$3,000** or both.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2014.