

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1242

By: Representative Steel

For An Act To Be Entitled

AN ACT CONCERNING THE OFFENSE OF FURNISHING,
POSSESSING, OR USING PROHIBITED ARTICLES IN A
CORRECTIONAL FACILITY; AND FOR OTHER PURPOSES.

Subtitle

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

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

SECTION 1. Arkansas Code § 5-54-119(c) and (d), concerning the offense of furnishing, possessing, or using prohibited articles by an inmate in the Department of Correction, are amended to read as follows:

(c)(1) A person commits possessing a prohibited article if, being an inmate of ~~the Department of Correction~~ a correctional facility or in the custody of a correctional facility, the person knowingly possesses a:

- (A) Cellular telephone or other communication device; or
- (B) Component of a cellular telephone or other

communication device.

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

(d)(1) A person commits using a prohibited article if, being an inmate of ~~the Department of Correction~~ a correctional facility or in the custody of a correctional facility, the person knowingly ~~used~~ uses a cellular telephone or other communication device to commit or to attempt, conspire, or solicit to commit:

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



~~Correction~~ the correctional facility;

(B) Engaging in a continuing criminal enterprise, § 5-64-405; or

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

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