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JAILS: INCREASE PENALTY HAVING OR BRINGING CERTAIN ITEMS

House Bill 4403

Sponsor: Rep. Michael Kowall

**Committee: Criminal Law and
Corrections**

Complete to 3-19-99

A SUMMARY OF HOUSE BILL 4403 AS INTRODUCED 3-9-99

Public Act 7 of 1981 prohibits an individual from bringing alcoholic liquor, controlled substances, weapons, or certain other items into a jail or onto jail grounds; however, alcoholic liquor and controlled substances may be brought into the jail with permission of the jail's chief administrator. The act also prohibits selling or furnishing an inmate with such items without appropriate permission. The bill would amend the act to increase the penalty for violations. Currently, violations are misdemeanors, punishable by a fine of up to \$500 and/or imprisonment for no more than one year. The bill would make a violation a felony and increase the penalty to a fine of no more than \$1,000 and/or imprisonment for no more than five years. However, the bill would prohibit the prosecution of an individual under the act if the violation involved a controlled substance crime that, on its own, would be punishable for more than five years imprisonment.

MCL 801.265

House Bill 4403 (3-19-99)

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.