

By: Representative Kinkade

To: Corrections

HOUSE BILL NO. 1124

1 AN ACT TO AMEND SECTION 47-5-193, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT IT SHALL BE A FELONY FOR ANY PERSON, EXCEPT LAW
 3 ENFORCEMENT OFFICIALS WHO ARE IN THE COURSE OF CONDUCTING AN
 4 INVESTIGATION, TO KNOWINGLY COMMUNICATE WITH AN INMATE WHO IS
 5 UTILIZING A CONTRABAND CELL PHONE WHILE HE OR SHE IS INCARCERATED;
 6 TO AUTHORIZE CIRCUIT COURTS TO ISSUE AN ORDER TO DISABLE THE
 7 CONTRABAND CELL PHONE SERVICE FROM CARRIERS; AND FOR RELATED
 8 PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** Section 47-5-193, Mississippi Code of 1972, is
 11 amended as follows:

12 47-5-193. (1) It is unlawful for any officer or employee of
 13 the department, of any county sheriff's department, of any private
 14 correctional facility in this state in which offenders are
 15 confined, of any municipal or other correctional facility in this
 16 state, or for any other person or offender to possess, furnish,
 17 attempt to furnish, or assist in furnishing to any offender
 18 confined in this state any weapon, deadly weapon, unauthorized
 19 electronic device, contraband item, or cell phone or any of its
 20 components or accessories to include, but not limited to,
 21 Subscriber Information Module (SIM) cards or chargers. It is



22 unlawful for any person or offender to take, attempt to take, or
23 assist in taking any weapon, deadly weapon, unauthorized
24 electronic device, contraband item, cell phone or any of its
25 components or accessories to include, but not limited to,
26 Subscriber Information Module (SIM) cards or chargers on property
27 within the state belonging to the department, a county, a
28 municipality, or other entity that is occupied or used by
29 offenders, except as authorized by law.

30 (2) It shall be a felony for anyone, without authorization
31 from the department, other than a law enforcement official in the
32 course of an official investigation, to knowingly communicate with
33 an inmate, who, while in custody in a correctional facility, is on
34 a contraband cell phone. The circuit court is authorized to issue
35 an order to disable the contraband cell phone service from the
36 carrier.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after passage.

