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M. Smith; Sens. Lopez, Pettyjohn

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 123

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CONTRABAND IN DETENTION FACILITY.

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

1 Section 1. Amend § 1256, Title 11 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 1256. Promoting prison contraband; class F felony; class A misdemeanor.

4 A person is guilty of promoting prison contraband when:

5 (1) The person knowingly and unlawfully introduces any contraband into a detention facility; or

6 (2) The person possesses with intent to deliver any contraband to any person confined within a detention
7 facility; or

8 (3) Being a person confined in a detention facility, the person knowingly and unlawfully makes, obtains or
9 possesses any contraband.

10 Promoting prison contraband is a class A misdemeanor except that if the prison contraband is a deadly weapon ~~or~~
11 ~~any mobile, phone, cellular telephone, or other prohibited electronic device of any kind~~ any prohibited electronic device of
12 any kind, any illegal narcotic or look-a-like substance, any prescription medication, or any item or article that could be used
13 to facilitate an escape, it is a class F felony.

SYNOPSIS

This bill expands the list of felony-level contraband to include narcotics, prescription drugs, and items used to facilitate escape.