SPONSOR: Rep. Smyk & Rep. Wilson & Sen. Ennis
Reps. Brady, Briggs King, Collins, Dukes, Hudson, J. Johnson, Kenton, Miro, Mitchell, Ramone, D. Short, M. Smith; Sens. Lopez, Pettyjohn

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 123
AS AMENDED BY
HOUSE AMENDMENT NO. 1

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:

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

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

A person is guilty of promoting prison contraband when:

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

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

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

Promoting prison contraband is a class A misdemeanor except that if the prison contraband is a deadly weapon ~~or any mobile phone~~, cellular telephone, or ~~other prohibited electronic device of any kind~~ any prohibited electronic device not specifically authorized or approved by the Commissioner or designee, any illegal narcotic or look-a-like substance, any prescription medication, or any item or article that could be used to facilitate an escape, it is a class F felony.