Model State Bill Prohibiting Wireless Handsets in Prisons

SEC. xx. PROVIDING OR POSSESSING WIRELESS HANDSETS IN PRISONS.

Chapter of title , Revised Statutes of [State] [prohibiting the provision or possession of contraband in prison], is amended by adding the following:

"SEC. xx. PROVIDING OR POSSESSING WIRELESS HANDSETS.

"Whoever—

"(1) provides to an inmate of a prison a wireless handset, or attempts to do so; or

"(2) being an inmate of a prison, possesses, obtains, or attempts to obtain, a wireless handset;

"shall be fined as provided under this title or imprisoned for not more than one year, or both.

"(b) DEFINITIONS.—For purposes of this section—

"(1) the term ‘prison’ means a State correctional, detention, or penal facility or any prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the Attorney General;

"(2) the term ‘wireless communications service’ means ‘commercial mobile service’ or ‘personal wireless services’ as such terms are defined in section 332 of the Federal Communications Act of 1934 (47 U.S.C. 332); and

"(3) the term ‘wireless handset’ means a device utilized by a user of wireless communications service in connection with such service."


Approved by the American Legislative Exchange Council’s Board of Directors June 6, 2009.