**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4191**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Kirsh, Bales and Wylie

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Introduced in the House on January 12, 2010

Currently residing in the House Committee on **Judiciary**

Summary: Wireless communication device

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/17/2009 House Prefiled

11/17/2009 House Referred to Committee on **Judiciary**

1/12/2010 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑23

1/12/2010 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2010\01-12-10.docx)‑23

**VERSIONS OF THIS BILL**

[11/17/2009](file:///p:\pprever\2009-10\4191_20091117.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑955 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO POSSESS A WIRELESS COMMUNICATIONS DEVICE ON THE PREMISES OF A DEPARTMENT OF CORRECTIONS FACILITY UNDER CERTAIN CIRCUMSTANCES AND TO GIVE OR SELL A WIRELESS COMMUNICATIONS DEVICE OR ITS COMPONENTS TO AN INMATE OR TO A PERSON FOR DELIVERY TO AN INMATE, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 9, Chapter 3, Title 24 of the 1976 Code is amended by adding:

“Section 24‑3‑955. (A) Except as authorized by the Department of Corrections, or as contained in this subsection, it is unlawful for a person to possess a mobile telephone or another wireless communications device on the premises of a Department of Corrections facility. An employee or visitor of a Department of Corrections facility may possess a mobile telephone or another wireless communications device within the confines of a motor vehicle located in a parking area of a correctional facility’s premises if the device remains in the vehicle and the vehicle is locked when the employee or visitor has exited the vehicle. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than one year.

(B) It is unlawful for a person to knowingly give or sell a mobile telephone or another wireless communications device, or their components to an inmate confined in a Department of Corrections facility or in a local detention facility, or knowingly give or sell a mobile telephone, wireless communications device, or their components to a person who is not an inmate for delivery to an inmate. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than one year.”

SECTION 2. This act takes effect upon approval by the Governor.

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