

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 8

Short Title: Prohibit Cell Phones in Prison.

(Public)

Sponsors: Representatives Pierce, Hall (Primary Sponsors); K. Alexander, M. Alexander, Allred, Bell, Blackwell, Burr, Cleveland, Dockham, Dollar, Faison, Farmer-Butterfield, Fisher, Frye, Gulley, Harrison, Jackson, Justice, Justus, McLawhorn, Randleman, Starnes, Stevens, and Tillis.

Referred to: Rules, Calendar, and Operations of the House.

February 2, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE IT A FELONY TO PROVIDE CELL PHONES TO INMATES IN THE  
3 CUSTODY OF THE DEPARTMENT OF CORRECTION.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 14-258.1 reads as rewritten:

6 "§ 14-258.1. **Furnishing poison, controlled substances, deadly weapons, cartridges,**  
7 **ammunition or alcoholic beverages to inmates of charitable, mental or penal**  
8 **institutions or local confinement facilities. facilities; furnishing mobile phones**  
9 **to inmates.**

10 (a) If any person shall give or sell to any inmate of any charitable, mental or penal  
11 institution, or local confinement facility, or if any person shall combine, confederate, conspire,  
12 aid, abet, solicit, urge, investigate, counsel, advise, encourage, attempt to procure, or procure  
13 another or others to give or sell to any inmate of any charitable, mental or penal institution, or  
14 local confinement facility, any deadly weapon, or any cartridge or ammunition for firearms of  
15 any kind, or any controlled substances included in Schedules I through VI contained in Article  
16 5 of Chapter 90 of the General Statutes except under the general supervision of a practitioner,  
17 poison or poisonous substance, except upon the prescription of a physician, he shall be  
18 punished as a Class H felon; and if he be an officer or employee of any institution of the State,  
19 or of any local confinement facility, he shall be dismissed from his position or office.

20 (b) Any person who shall knowingly give or sell any alcoholic beverages to any inmate  
21 of any State mental or penal institution, or to any inmate of any local confinement facility,  
22 except for medical purposes as prescribed by a duly licensed physician and except for an  
23 ordained minister or rabbi who gives sacramental wine to an inmate as part of a religious  
24 service; or any person who shall combine, confederate, conspire, procure, or procure another or  
25 others to give or sell any alcoholic beverages to any inmate of any such State institution or  
26 local confinement facility, except for medical purposes as prescribed by a duly licensed  
27 physician and except for an ordained minister or rabbi who gives sacramental wine to an  
28 inmate as part of a religious service; or any person who shall bring into the buildings, grounds  
29 or other facilities of such institution any alcoholic beverages, except for medical purposes as  
30 prescribed by a duly licensed physician or sacramental wine brought by an ordained minister or  
31 rabbi for use as part of a religious service, shall be guilty of a Class 1 misdemeanor. If such  
32 person is an officer or employee of any institution of the State, such person shall be dismissed  
33 from office.



1       (c)    Any person who knowingly gives or sells a mobile telephone or other wireless  
2 communications device, or a component of one of those devices, to an inmate in the custody of  
3 the Department of Correction, or any person who knowingly gives or sells any such device or  
4 component to a person who is not an inmate for delivery to an inmate, is guilty of a Class I  
5 felony."

6           **SECTION 2.** This act becomes effective December 1, 2009, and applies to acts  
7 committed on or after that date.