

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 578 Session of
2001

INTRODUCED BY LAWLESS, ADOLPH, BASTIAN, CALTAGIRONE, DeLUCA,
EACHUS, FEESE, FLEAGLE, HARHAI, HERSHEY, PETRARCA, RUFFING,
SOLOBAY, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRELLO, C. WILLIAMS,
YOUNGBLOOD, PALLONE AND HORSEY, FEBRUARY 8, 2001

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 4, 2001

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, ~~prohibiting cellular and wireless~~ <—
3 ~~telephone usage in correctional facilities~~ FURTHER PROVIDING <—
4 FOR CONTRABAND.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 ~~Section 1. Title 18 of the Pennsylvania Consolidated~~ <—
8 ~~Statutes is amended by adding a section to read:~~

9 ~~§ 7515. Cellular and wireless telephone usage in correctional~~
10 ~~facilities.~~

11 ~~(a) General rule. It is unlawful for any person to carry or~~
12 ~~use a cellular or wireless telephone in any local or county~~
13 ~~detention facility, jail or prison or any State penal or~~
14 ~~correctional institution or other State penal or correctional~~
15 ~~facility located in this Commonwealth.~~

16 ~~(b) Penalty. Any person who violates this section commits a~~
17 ~~summary offense.~~

SECTION 1. SECTION 5123 OF TITLE 18 OF THE PENNSYLVANIA
CONSOLIDATED STATUTES IS AMENDED BY ADDING SUBSECTIONS TO READ:
§ 5123. CONTRABAND.

* * *

(C.1) TELECOMMUNICATION DEVICES TO INMATES PROHIBITED.--A
PERSON COMMITS A MISDEMEANOR OF THE FIRST DEGREE IF, WITHOUT THE
WRITTEN PERMISSION OF THE SUPERINTENDENT, WARDEN OR OTHERWISE
AUTHORIZED INDIVIDUAL IN CHARGE OF A STATE OR COUNTY
CORRECTIONAL INSTITUTION OR HOSPITAL, THE PERSON SELLS, GIVES OR
FURNISHES TO ANY INMATE IN A PRISON OR IN A MENTAL HOSPITAL, OR
ANY BUILDING APPURTENANT THERETO, OR PUTS IN ANY PLACE WHERE IT
MAY BE SECURED BY AN INMATE OF A PRISON OR MENTAL HOSPITAL, ANY
TELECOMMUNICATION DEVICE.

(C.2) POSSESSION OF TELECOMMUNICATION DEVICES BY INMATES
PROHIBITED.--AN INMATE IN A PRISON OR MENTAL HOSPITAL, OR ANY
BUILDING APPURTENANT THERETO, COMMITS A MISDEMEANOR OF THE FIRST
DEGREE IF THE INMATE HAS IN HIS POSSESSION ANY TELECOMMUNICATION
DEVICE WITHOUT THE WRITTEN PERMISSION OF THE SUPERINTENDENT,
WARDEN OR OTHERWISE AUTHORIZED INDIVIDUAL IN CHARGE OF A STATE
OR COUNTY CORRECTIONAL INSTITUTION OR MENTAL HOSPITAL.

* * *

(E) DEFINITION.--AS USED IN THIS SECTION, THE TERM
"TELECOMMUNICATION DEVICE" MEANS ANY TYPE OF INSTRUMENT, DEVICE,
MACHINE OR EQUIPMENT WHICH IS CAPABLE OF TRANSMITTING
TELEPHONIC, ELECTRONIC, DIGITAL, CELLULAR OR RADIO
COMMUNICATIONS OR ANY PART OF SUCH INSTRUMENT, DEVICE, MACHINE
OR EQUIPMENT WHICH IS CAPABLE OF FACILITATING THE TRANSMISSION
OF TELEPHONIC, ELECTRONIC, DIGITAL, CELLULAR OR RADIO
COMMUNICATIONS. THE TERM SHALL INCLUDE, BUT SHALL NOT BE LIMITED
TO, CELLULAR TELEPHONES, DIGITAL TELEPHONES AND MODEM-EQUIPPED

1 DEVICES.

2 Section 2. This act shall take effect in 60 days.