
DIGEST

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HB 237 Engrossed

2023 Regular Session

Schamerhorn

Abstract: Provides relative to certain activities regarding contraband in correctional facilities.

Present law (R.S. 14:402) prohibits persons from introducing, possessing, or sending contraband into or from any state correctional institution or municipal or parish jail and provides for criminal penalties.

Proposed law amends present law to also prohibit persons from attempting to introduce, giving, or attempting to give contraband to an inmate of any correctional facility rather than a correctional institute.

Proposed law defines "correctional facility" as any jail, prison, penitentiary, juvenile institution, temporary holding center, or detention facility.

Proposed law retains and restructures present law with regard to contraband in or upon the premises of municipal or parish prisons or jails.

Present law provides that a reasonably small amount of sacramental wine shall be permitted to be brought for use by a clergy member only, as part of a religious service.

Proposed law retains present law and provides that the sacramental shall be permitted by the warden or his designee.

Proposed law adds that the present law term of "contraband" includes any tobacco product as defined by present law and any hypodermic syringe, needle, and or other object used or intended for use, or designed for use in injecting controlled dangerous substances into the human body.

Proposed law further adds any electronic device including but not limited to computers, telephoto equipment, communications equipment, whether modified or not.

Present law (R.S. 15:1352) provides for the definition of "racketeering activity" and provides for certain criminal offenses.

Proposed law changes the crime of contraband in penal institutions to contraband in correctional facilities.

(Amends R.S. 14:402(A), (B), (C), (D)(1)-(5) and (7)-(10), (F), and (G)(1) and (2) and R.S.

15:1352(A)(66); Adds R.S. 14:402(D)(11), (12), (13), and (14) and (H); Repeals R.S. 14:402(E)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove proposed law language relative to the "taking" of contraband.
2. Provide that sacramental wine shall be permitted by the warden or his designee.
3. Remove proposed law language relative to the intention for use in the planning or aiding in an escape or attempt to escape from any facility.
4. Add hypodermic syringes, needles, and other objects used, intended for use, or designed for use in injecting controlled dangerous substances into the human body as contraband.