

# VIRGINIA ACTS OF ASSEMBLY -- 2005 SESSION

## CHAPTER 171

*An Act to amend the Code of Virginia by adding in Article 6 of Chapter 9 of Title 18.2 a section numbered 18.2-431.1, relating to illegal conveyance or possession of cellular telephone by prisoner; penalty.*

[H 2213]

Approved March 20, 2005

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 6 of Chapter 9 of Title 18.2 a section numbered 18.2-431.1 as follows:**

*§ 18.2-431.1. Illegal conveyance or possession of cellular telephone by prisoner; penalty.*

*A. It shall be unlawful for any person without authorization to provide or cause to be provided a cellular telephone to an incarcerated prisoner.*

*B. It shall be unlawful for an incarcerated prisoner without authorization to possess a cellular telephone during the period of his incarceration.*

*C. Any violation of this section shall be a Class 6 felony.*

**2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.**