VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

CHAPTER 601

An Act to amend and reenact § 18.2-431.1 of the Code of Virginia, relating to possession, etc., of wireless telecommunications device by prisoner; penalty.

[H 2385]

Approved March 26, 2015

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-431.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-431.1. Illegal conveyance or possession of cellular telephone or other wireless telecommunications device by prisoner or committed person; penalty.

A. It ~~shall be~~ *is* unlawful for any person without authorization to provide or cause to be provided a cellular telephone *or other wireless telecommunications device* to an incarcerated prisoner or person committed to the Department of Juvenile Justice in any juvenile correctional center.

B. It ~~shall be~~ *is* unlawful for an incarcerated prisoner or person committed to the Department of Juvenile Justice in any juvenile correctional center without authorization to possess a cellular telephone *or other wireless telecommunications device* during the period of his incarceration.

C. Any violation of this section is 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; therefore, Chapter 2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of $50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.