

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 2385]
5 Approved

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

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

8 **§ 18.2-431.1. Illegal conveyance or possession of cellular telephone or other wireless**
9 **telecommunications device by prisoner or committed person; penalty.**

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

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

16 C. Any violation of this section is a Class 6 felony.

17 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
18 **commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot**
19 **be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter**
20 **2 of the Acts of Assembly of 2014, Special Session I, requires the Virginia Criminal Sentencing**
21 **Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated**
22 **amount of the necessary appropriation cannot be determined for periods of commitment to the**
23 **custody of the Department of Juvenile Justice.**

ENROLLED

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