

RÉSUMÉ DIGEST

ACT 302 (HB 237)

2023 Regular Session

Schamerhorn

Existing 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.

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

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

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

Prior law provided 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.

New law provides that a reasonably small amount of sacramental wine may be permitted by the warden or his designee for use by a clergy member only, as part of a religious service.

New law adds that the existing law term of "contraband" includes any tobacco product as defined by existing 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.

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

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

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

Effective August 1, 2023.

(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))