

**SENATE BILL NO. 2105**

Introduced by

Judiciary Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to amend and reenact subsection 8 of section 12-47-21 of the North Dakota  
2 Century Code, relating to use of wireless electronic communications devices at the department  
3 of corrections and rehabilitation; and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 8 of section 12-47-21 of the North Dakota Century  
6 Code is amended and reenacted as follows:

7 8. a. It is unlawful for a penitentiary inmate to willfully manufacture, possess, or use a  
8 wireless electronic communications device on or within any premises under the  
9 control of the department of corrections and rehabilitation or any of its divisions  
10 except for law enforcement purposes as authorized by the department of  
11 corrections and rehabilitation.

12 b. It is unlawful for any person to willfully deliver, or possess with intent to deliver, a  
13 wireless electronic communications device to a penitentiary inmate or to any  
14 person for redelivery to a penitentiary inmate, or to allow a penitentiary inmate to  
15 possess or use a wireless electronic communications device, on or within any  
16 premises under the control of the department of corrections and rehabilitation or  
17 any of its divisions except for law enforcement purposes as authorized by the  
18 department of corrections and rehabilitation.

19 c. A violation of this subsection is a class C felony.