

# SENATE BILL REPORT

## SHB 2900

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As of February 23, 2016

**Title:** An act relating to prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state correctional institution.

**Brief Description:** Prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state, county, or local correctional institution.

**Sponsors:** House Committee on Public Safety (originally sponsored by Representatives Klippert and Haler).

**Brief History:** Passed House: 2/16/16, 97-0.

**Committee Activity:** Law & Justice: 2/24/16.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Tim Ford (786-7423)

**Background:** It is a class C felony offense if a person serving a sentence in a state, county, or local correctional institution knowingly possesses or carries under his or her control any narcotic drug or controlled substance: (1) while in the institution; (2) while being conveyed to or from the institution; (3) while in the custody of institution officials; or (4) while on the premises of the institution. The sentence imposed for such violations must be in addition to any other sentence being served.

State and local correctional institutions may reduce an offender's term of confinement through earned release time. Earned release time may be granted for good behavior and good performance and can be taken away for disciplinary reasons. In the case of an offender convicted of a serious violent offense or a class A felony sex offense, the earned release time may not exceed 15 percent of the sentence. For all other offenders, the aggregate earned release time may not exceed 33 percent of the sentence.

**Summary of Bill:** The crime of possessing contraband is expanded to include alcohol, marijuana, other intoxicants, cell phones, and other forms of electronic telecommunication devices. An offender that is convicted for possession of contraband inside of a facility cannot accrue or be credited with earned release time on that portion of an offender's sentence that is a conviction for possession of contraband.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.