H-3905.1

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**HOUSE BILL 2900**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Klippert and Haler

AN ACT Relating to prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state correctional institution; amending RCW 9.94.041; and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 9.94.041 and 1995 c 314 s 5 are each amended to read as follows:

(1) Every person ((~~serving a sentence~~)) confined or incarcerated in any state correctional institution who, without legal authorization, while in the institution or while being conveyed to or from the institution, or while under the custody or supervision of institution officials, officers, or employees, or while on any premises subject to the control of the institution, knowingly possesses or carries upon his or her person or has under his or her control any narcotic drug or controlled substance as defined in chapter 69.50 RCW is guilty of a class C felony.

(2) Every person confined or incarcerated in a county or local correctional institution who, without legal authorization, while in the institution or while being conveyed to or from the institution, or while under the custody or supervision of institution officials, officers, or employees, or while on any premises subject to the control of the institution, knowingly possesses or has under his or her control any narcotic drug or controlled substance, as defined in chapter 69.50 RCW, is guilty of a class C felony.

(3) The sentence imposed under this section shall be in addition to any sentence being served and no earned early release shall accrue or be credited on this sentence.

**--- END ---**