

AN INDIVIDUAL MAY NOT POSSESS CONTRABAND WITH INTENT TO DELIVER TO AN INMATE TO EFFECT AN ESCAPE.

(C) DEPOSITING OR CONCEALING; PROHIBITED.

AN INDIVIDUAL MAY NOT DEPOSIT OR CONCEAL ANY CONTRABAND IN OR ABOUT A CORRECTIONAL FACILITY OR ON ANY LAND APPURTENANT TO THE FACILITY TO EFFECT AN ESCAPE.

(D) RECEIPT; PROHIBITED.

AN INMATE MAY NOT RECEIVE CONTRABAND TO EFFECT AN ESCAPE.

(E) PENALTY.

AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 122A(b), as it related to contraband.

In subsections (a), (b), (c), and (e) of this section, the references to an "individual" are substituted for the former reference to a "person" because only a human being, and not the other entities included in the defined term "person", can deliver, possess, deposit, or conceal contraband. See § 1-101 of this article for the definition of "person".

In subsection (d) of this section, the reference to "[a]n inmate" is added to state expressly that which was only implied in the former law.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the prohibition against receipt of contraband set forth in subsection (d) of this section does not apply to individuals other than inmates, *i.e.*, aiders and abettors. If the General Assembly intended that subsection (d) apply to aiders and abettors, it should be amended accordingly. See also § 8-802(c) of this subtitle and accompanying Revisor's Note.

Defined terms: "Contraband" § 8-801

"Correctional facility" § 1-101

"Inmate" § 1-101

8-804. CONTRABAND IN CORRECTIONAL FACILITIES.

(A) DELIVERY; PROHIBITED.

AN INDIVIDUAL MAY NOT DELIVER ANY CONTRABAND NOT SPECIFICALLY DESIGNATED IN §§ 8-802 AND 8-803 OF THIS SUBTITLE TO AN INMATE.

(B) POSSESSION WITH INTENT TO DELIVER; PROHIBITED.