

LIQUOR, NARCOTICS, AND WEAPONS PROHIBITED IN PRISONS (EXCERPT)
Act 17 of 1909

800.282 Persons not in violation of MCL 800.281; limitation on wine for use of clergy; applicability of MCL 800.281(3).

Sec. 2.

(1) A person is not in violation of section 1 if all of the following occur:

(a) A licensed physician certifies in writing that the alcoholic liquor, prescription drug, or controlled substance is necessary for the health of the prisoner or employee.

(b) The certificate contains the following information:

(i) The quantity of the alcoholic liquor, prescription drug, or controlled substance which is to be furnished to the prisoner or employee.

(ii) The name of the prisoner or employee.

(iii) The time when the alcoholic liquor, prescription drug, or controlled substance is to be furnished.

(iv) The reason why the alcoholic liquor, prescription drug, or controlled substance is needed.

(c) The certificate has been delivered to the chief administrator of the correctional facility to which the prisoner is assigned or at which the employee works.

(d) The chief administrator of the correctional facility or the designee of the chief administrator approves in advance the sale, giving, furnishing, bringing, or possession of the alcoholic liquor, prescription drug, or controlled substance.

(e) The sale, giving, furnishing, bringing, or possession of the alcoholic liquor, prescription drug, or controlled substance is in compliance with the certificate.

(2) Not more than 2 ounces of wine for the use of the clergy may be brought into or onto a correctional facility by a person of the clergy of any religious denomination for clergy purposes.

(3) Section 1(3) shall not apply to the bringing of alcoholic liquor, prescription drugs, or controlled substances into or onto a correctional facility for the ordinary hospital supply of the correctional facility.

(4) Section 1(3) shall not apply to the bringing of any alcoholic liquor, prescription drug, poison, or controlled substance into or onto a privately operated community corrections center or resident home which houses prisoners for the use of the owner, operator, or nonprisoner resident of that center or home if the owner or operator lives in the center or home, or for the use of a nonprisoner guest of the owner, operator, or nonprisoner resident.

History: 1909, Act 17, Eff. Sept. 1, 1909 ;-- CL 1915, 1828 ;-- CL 1929, 17654 ;-- CL 1948, 800.282 ;-- Am. 1977, Act 164, Imd. Eff. Nov. 10, 1977 ;-- Am. 1982, Act 343, Imd. Eff. Dec. 21, 1982