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## DIGEST

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HB 202 Engrossed

2024 Regular Session

Carver

**Abstract:** Creates the crime of mail theft and theft or unauthorized reproduction of a mail receptacle key or lock.

Proposed law provides that the crime of mail theft is any of the following:

- (1) Removing mail from a mail depository or taking mail from a mail carrier with a postal service with an intent to steal.
- (2) Obtaining custody of mail by fraud or deception with an intent to steal.
- (3) Selling, receiving, possessing, transferring, buying, or concealing mail obtained by acts described in proposed law, while knowing or having reason to know the mail was obtained illegally.

Proposed law defines the terms "mail", "mail depository", and "postal service".

Proposed law provides for a penalty of imprisonment, with or without hard labor, for not more than five years, or a fine of not more than \$5,000, or both.

Proposed law provides that upon a second or subsequent conviction or violation of proposed law the offender shall be imprisoned, with or without hard labor, for not less than one year nor more than 10 years and may, in addition, be fined not more than \$20,000.

Proposed law provides that in addition to the penalties provided in proposed law, a person convicted under proposed law shall be ordered to make full restitution to the victim and any other person who has suffered a financial loss as a result of the offense in accordance with present law (C.Cr.P. Art. 883.2).

Proposed law provides that an offense committed under proposed law may be prosecuted in any of the following parishes:

- (1) The parish where the offense occurred.
- (2) The parish of residence or place of business of the direct or indirect victim.

Proposed law provides that the crime of theft or unauthorized reproduction of a mail receptacle key or lock is any of the following:

- (1) Stealing or obtaining by false pretense any key or lock adopted by a postal service for any box or other authorized receptacle for the deposit or delivery of mail.
- (2) Knowingly and unlawfully making, forging, or counterfeiting any such key, or possessing any such key or lock adopted by a postal service that delivers mail with the intent to unlawfully or improperly use, sell, or otherwise dispose of the same, or to cause the same to be unlawfully or improperly used, sold, or otherwise disposed of.

Proposed law defines the terms "mail" and "postal service".

Proposed law provides for a penalty of imprisonment, with or without hard labor, for not more than five years, or fined not more than \$5,000, or both.

Proposed law provides that upon a second or subsequent conviction or violation of proposed law, the offender shall be imprisoned, with or without hard labor, for not less than one year nor more than 10 years and may, in addition, be fined not more than \$20,000.

Proposed law provides that in addition to the penalties provided in proposed law, a person convicted under proposed law shall be ordered to make full restitution to the victim and any other person who has suffered a financial loss as a result of the offense in accordance with present law (C.Cr.P. Art. 883.2).

(Adds R.S. 14:67.6 and 67.7)