

2024 Regular Session

HOUSE BILL NO. 202

BY REPRESENTATIVES CARVER, ADAMS, BOYER, COX, KNOX, LAFLEUR,
MOORE, WALTERS, AND WILEY

CRIME/THEFT: Creates the crime of theft of USPS mail

1 AN ACT

2 To enact R.S. 14:67.6 and 67.7, relative to offenses against property; to create the crime of
3 mail theft; to create the crime of theft or unauthorized reproduction of a mail
4 receptacle key or lock; to provide for definitions; to provide for penalties; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:67.6 and 67.7 are hereby enacted to read as follows:

8 §67.6. Mail theft

9 A. As used in this Section, the following terms shall have the following
10 meanings:

11 (1) "Mail" means any letter, postal card, parcel, envelope, package, bag, or
12 any other sealed article addressed to another, along with its contents.

13 (2) "Mail depository" means a mail box, letter box, or mail receptacle of a
14 postal service, an office of a postal service, or a vehicle of a postal service.

15 (3) "Postal service" means the United States Postal Service or its contractors,
16 or any commercial courier that delivers mail.

17 B. Any of the following acts shall constitute mail theft:

18 (1) Removing mail from a mail depository or taking mail from a mail carrier
19 with a postal service with an intent to steal.

20 (2) Obtaining custody of mail by fraud or deception with an intent to steal.

1 (3) Selling, receiving, possessing, transferring, buying, or concealing mail
2 obtained by acts described in Paragraphs (1) or (2) of this Subsection, while knowing
3 or having reason to know the mail was obtained illegally.

4 C.(1) Whoever violates the provisions of this Section shall be imprisoned,
5 with or without hard labor, for not more than five years, or fined not more than five
6 thousand dollars, or both.

7 (2) Upon a second or subsequent conviction or violation of the provisions
8 of this Section, the offender shall be imprisoned, with or without hard labor, for not
9 less than one year nor more than ten years and may, in addition, be fined not more
10 than twenty thousand dollars.

11 D. In addition to the penalties provided in Subsection C of this Section, a
12 person convicted under this Section shall be ordered to make full restitution to the
13 victim and any other person who has suffered a financial loss as a result of the
14 offense in accordance with Code of Criminal Procedure Article 883.2.

15 E. An offense committed under this Section may be prosecuted in any of the
16 following parishes:

17 (1) The parish where the offense occurred.

18 (2) The parish of residence or place of business of the direct or indirect
19 victim.

20 §67.7. Theft or unauthorized reproduction of a mail receptacle key or lock

21 A. As used in this Section, the following terms shall have the following
22 meanings:

23 (1) "Mail" means any letter, postal card, parcel, envelope, package, bag, or
24 any other sealed article addressed to another, along with its contents.

25 (2) "Postal service" means the United States Postal Service or its contractors,
26 or any commercial courier that delivers mail.

27 B. Any of the following acts shall constitute theft or unauthorized
28 reproduction of a mail receptacle key or lock:

1 (1) Stealing or obtaining by false pretense any key or lock adopted by a
2 postal service for any box or other authorized receptacle for the deposit or delivery
3 of mail.

4 (2) Knowingly and unlawfully making, forging, or counterfeiting any such
5 key, or possessing any such key or lock adopted by a postal service that delivers mail
6 with the intent to unlawfully or improperly use, sell, or otherwise dispose of the key
7 or lock, or to cause the key or lock to be unlawfully or improperly used, sold, or
8 otherwise disposed.

9 C.(1) Whoever violates the provisions of this Section shall be imprisoned,
10 with or without hard labor, for not more than five years, or fined not more than five
11 thousand dollars, or both.

12 (2) Upon a second or subsequent conviction or violation of the provisions
13 of this Section, the offender shall be imprisoned, with or without hard labor, for not
14 less than one year nor more than ten years and may, in addition, be fined not more
15 than twenty thousand dollars.

16 D. In addition to the penalties provided in Subsection C of this Section, a
17 person convicted under this Section shall be ordered to make full restitution to the
18 victim and any other person who has suffered a financial loss as a result of the
19 offense in accordance with Code of Criminal Procedure Article 883.2.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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)