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**SENATE BILL NO. 939**

Offered January 8, 2025

Prefiled January 6, 2025

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 5 of Title 18.2 a section numbered 18.2-110.1, relating to mail theft; penalty.*

\_\_\_\_\_  
Patron—Salim

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 3 of Chapter 5 of Title 18.2 a section numbered 18.2-110.1 as follows:**

**§ 18.2-110.1. Mail theft; penalty.**

*A. As used in this section:*

*"Mail" means any letter, postal card, parcel, package, bag, or other material, along with its contents, that (i) has postage affixed by the postal customer or postal service, (ii) has been accepted for delivery by the postal service, (iii) the postal customer leaves for collection by the postal service, or (iv) the postal service delivers to the postal customer.*

*"Mail receptacle" means a mailbox, post office box, rural box, letter box, lock drawer, or any place or area intended or used by postal customers or a postal service for the collection, deposit, or delivery of mail.*

*"Postal service" means the United States Postal Service or a private common mail carrier.*

*B. Any person who (i) knowingly, willfully, and with the intent to deprive, injure, damage, or defraud another (a) takes, destroys, hides, or embezzles mail or (b) obtains any mail by fraud or deception; (ii) buys, receives, conceals, or possesses (a) mail and knows or reasonably should know that the mail was unlawfully taken or obtained, (b) any key suited to any lock adopted by the United States Postal Service that provides access to any mail receptacle in any neighborhood or apartment panel used for the purpose of centralized mail, or (c) a counterfeit device or key designed to provide access to any lock described in clause (b); or (iii) knowingly, willfully, and with the intent to steal any mail inside damages, opens, tears down, takes, or destroys any mail receptacle is guilty of a Class 6 felony.*

*C. A person convicted under this section shall be ordered to pay restitution pursuant to § 19.2-305.1.*

**2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.**

INTRODUCED

SB939