

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 1715]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding in Article 3 of Chapter 5 of Title 18.2 a section**
8 **numbered 18.2-110.1 as follows:**9 **§ 18.2-110.1. Mail theft; penalty.**

10 A. As used in this section:

11 "Delivery service" means the same as that term is defined in § 18.2-246.6. "Delivery service" does not
12 include the United States Postal Service.13 "Mail" means any letter, postal card, parcel, package, bag, or other material, along with its contents, that
14 (i) has postage affixed by the postal customer or a postal service, (ii) has been accepted for delivery by a
15 postal service, (iii) the postal customer leaves for collection by a postal service, or (iv) a postal service
16 delivers to the postal customer, which has not been retrieved from the mail receptacle.17 "Mail receptacle" means a mailbox, post office box, rural box, letter box, lock drawer, or any place or
18 area intended or used by postal customers or a postal service for the collection, deposit, or delivery of mail.

19 "Postal service" means the United States Postal Service or a delivery service.

20 B. Any person who (i) knowingly, willfully, and with the intent to deprive, injure, damage, or defraud
21 another (a) takes, destroys, hides, or embezzles mail or (b) obtains any mail by fraud or deception; (ii) buys,
22 receives, conceals, or possesses (a) mail and knows or reasonably should know that the mail was unlawfully
23 taken or obtained, (b) any key he knows or reasonably should know is suited to any lock adopted by the
24 United States Postal Service that provides access to any mail receptacle located in a cluster mailbox unit or
25 other mailbox panel used for the purpose of centralized mail in any neighborhood, including any
26 condominium or apartment complex, or (c) a counterfeit device or key designed to provide access to any lock
27 described in clause (b); or (iii) knowingly, willfully, and with the intent to steal any mail inside damages,
28 opens, removes, injures, vandalizes, or destroys any mail receptacle is guilty of a Class 6 felony.29 **2. That the provisions of this act may result in a net increase in periods of imprisonment or**
30 **commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary**
31 **appropriation cannot be determined for periods of imprisonment in state adult correctional facilities;**
32 **therefore, Chapter 2 of the Acts of Assembly of 2024, Special Session I, requires the Virginia Criminal**
33 **Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the**
34 **Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for**
35 **periods of commitment to the custody of the Department of Juvenile Justice.**