

Amendment No. 153

Assembly Amendment to Assembly Bill No. 272	(BDR 15-800)
Proposed by: Assembly Committee on Judiciary	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

MR/BAW



Date: 4/13/2023

A.B. No. 272—Establishes provisions relating to mail theft. (BDR 15-800)



MARCH 8, 2023

Effect on the State: Yes.

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Existing law describes certain actions which constitute theft. (NRS 205.0832) **Section 1** of this bill provides that a person commits the crime of mail theft if the person: (1) knowingly, willfully and with the intent to deprive, injure, damage or defraud another, takes, destroys, hides or embezzles mail or obtains any mail by fraud or deception; (2) buys, receives, conceals or possesses mail and knows or reasonably should know that the mail was unlawfully taken or obtained; (3) buys, receives, conceals or possesses personal identifying information and knows or reasonably should know that the personal identifying information was unlawfully taken or obtained from mail; (4) buys, receives, conceals or possesses a United States Postal Service key that provides access to certain mail receptacles, or a counterfeit device or key designed to provide access to the lock mechanisms of such mail receptacles; or ~~((4))~~ (5) knowingly, willfully and with the intent to steal the mail inside, damages, breaks open, tears down, takes or destroys any mail receptacle. **Section 1** also provides that a person who commits the crime of mail theft is guilty of ~~[(1) if the mail has no monetary value and does not include the personal identifying information of any person, a gross misdemeanor; (2) if the mail has monetary value or contains the personal identifying information of not more than nine persons,] a category D felony [; or (3) if the mail contains the personal identifying information of 10 or more persons, a category C felony,]~~ which is punishable by a term of imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4 years and a fine of not more than \$5,000. **Section 1** also requires the court to order a person who commits the offense of mail theft to pay restitution.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 205 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person commits the crime of mail theft if the person:

(a) Knowingly, willfully and with the intent to deprive, injure, damage or defraud another:

(1) Takes, destroys, hides or embezzles mail; or

(2) Obtains any mail by fraud or deception;

(b) Buys, receives, conceals or possesses:

(1) Mail and knows or reasonably should know that the mail was unlawfully taken or obtained;

(2) Personal identifying information and knows or reasonably should know that the personal identifying information was unlawfully taken or obtained from mail in violation of this subsection;

(3) 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

~~[(3)]~~ (4) A counterfeit device or key designed to provide access to a lock described in subparagraph ~~[(2)]~~ (3); or

(c) Knowingly, willfully and with the intent to steal any mail inside, damages, breaks open, tears down, takes or destroys any mail receptacle.

2. A person who violates any provision of subsection 1 is guilty of ~~+~~

~~— (a) If the mail has no monetary value and does not include the personal identifying information of any person, a gross misdemeanor;~~

~~— (b) If the mail has monetary value or contains the personal identifying information of not more than nine persons, a category D felony and shall be punished as provided in NRS 193.130. ~~+~~ or~~

~~— (c) If the mail contains the personal identifying information of 10 or more persons, a category C felony and shall be punished as provided in NRS 193.130.~~

~~3.]~~ In addition to any other penalty, the court shall order the person to pay restitution.

~~4.]~~ 3. As used in this section:

(a) "Mail" means any letter, postal card, parcel, package, bag or other material, along with its contents, that:

(1) Has postage affixed by the postal customer or postal service;

(2) Has been accepted for delivery by the postal service;

(3) The postal customer leaves for collection by the postal service; or

(4) The postal service delivers to the postal customer.

(b) "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.

(c) "Personal identifying information" has the meaning ascribed to it in NRS 205.4617.

(d) "Postal service" means the United States Postal Service or a private common mail carrier.

Sec. 2. This act becomes effective on July 1, 2023.