

Amendment No. 566

Senate Amendment to Assembly Bill No. 272 First Reprint	(BDR 15-800)
Proposed by: Senate 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: 5/17/2023

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



ASSEMBLY BILL NO. 272—ASSEMBLYWOMAN MONROE-MORENO

MARCH 8, 2023

Referred to Committee on Judiciary

SUMMARY—Establishes provisions relating to mail theft. (BDR 15-800)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to mail theft; establishing provisions relating to mail theft; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

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 ~~[(5)] (4)~~ knowingly, willfully and with the intent to steal the mail inside, damages, ~~breaks open,~~ *opens,* 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 a category D 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

- 1 (2) *Obtains any mail by fraud or deception;*
2 (b) *Buys, receives, conceals or possesses:*
3 (1) *Mail and knows or reasonably should know that the mail was*
4 *unlawfully taken or obtained;*
5 (2) ~~*Personal identifying information and knows or reasonably should*~~
6 ~~*know that the personal identifying information was unlawfully taken or obtained*~~
7 ~~*from mail in violation of this subsection;*~~
8 ~~*(3)*~~ *Any key suited to any lock adopted by the United States Postal*
9 *Service that provides access to any mail receptacle in any neighborhood or*
10 *apartment panel used for the purpose of centralized mail; or*
11 ~~*(4)*~~ *(3) A counterfeit device or key designed to provide access to a lock*
12 *described in subparagraph ~~(3)~~ (2); or*
13 (c) *Knowingly, willfully and with the intent to steal any mail inside, damages,*
14 ~~*breaks open,*~~ *opens, tears down, takes or destroys any mail receptacle.*
15 2. *A person who violates any provision of subsection 1 is guilty of a*
16 *category D felony and shall be punished as provided in NRS 193.130. In addition*
17 *to any other penalty, the court shall order the person to pay restitution.*
18 3. *As used in this section:*
19 (a) *“Mail” means any letter, postal card, parcel, package, bag or other*
20 *material, along with its contents, that:*
21 (1) *Has postage affixed by the postal customer or postal service;*
22 (2) *Has been accepted for delivery by the postal service;*
23 (3) *The postal customer leaves for collection by the postal service; or*
24 (4) *The postal service delivers to the postal customer.*
25 (b) *“Mail receptacle” means a mailbox, post office box, rural box, letter box,*
26 *lock drawer or any place or area intended or used by postal customers or a postal*
27 *service for the collection, deposit or delivery of mail.*
28 (c) ~~*“Personal identifying information” has the meaning ascribed to it in*~~
29 ~~*NRS 205.4617.*~~
30 ~~*(d)*~~ *“Postal service” means the United States Postal Service or a private*
31 *common mail carrier.*

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