A BILL FOR AN ACT

CONCERNING CREATING THE CRIME OF MAIL THEFT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill criminalizes taking, holding, concealing, or destroying mail addressed to another person with the intent to defraud any person or deprive the person to whom the mail was addressed of the mail. The bill defines mail as a letter, postal card, package, bag, or any other article or thing contained therein, or other sealed article addressed to a person. A first violation is an unclassified misdemeanor and a second or subsequent violation is an unclassified felony.
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 18-4-421 as follows:

18-4-421. Mail theft - definitions. (1) A person shall not take, hold, conceal, or destroy mail addressed to another person with the intent to defraud any person or deprive the person to whom the mail was addressed of the mail.

(2) A person who violates this section is guilty of an unclassified misdemeanor punishable by imprisonment for not more than three hundred sixty-four days or a fine of not more than five hundred dollars, or both. A second or subsequent violation of this section is an unclassified felony punishable by imprisonment for not more than five years or a fine of not more than one thousand dollars, or both.

(3) This section applies whether a person who is an individual whose mail is obtained or attempted to be obtained in violation of this section is alive or deceased at the time of the violation.

(4) This section does not prohibit a person from being charged with, convicted of, or sentenced for any other violation of law committed by that person using the mail obtained in violation of this section or any other violation of law committed by that person while violating or attempting to violate this section.

(5) As used in this section, unless the context otherwise requires:
(a) "Mail" means a letter, postal card, package, bag, or any other article or thing contained therein, or other sealed article addressed to a person.

(b) "Person" means an individual, partnership, corporation, limited liability company, association, or other legal entity.

SECTION 2. Potential appropriation. Pursuant to section 2-2-703, C.R.S., any bill that results in a net increase in periods of imprisonment in state correctional facilities must include an appropriation of money that is sufficient to cover any increased capital construction, any operational costs, and increased parole costs that are the result of the bill for the department of corrections in each of the first five years following the effective date of the bill. Because this act may increase periods of imprisonment, this act may require a five-year appropriation.

SECTION 3. Effective date - applicability. This act takes effect July, 1, 2020, and applies to offenses committed on or after said date.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.