

CRIMES CODE (18 PA.C.S.) - OFFENSE OF THEFT OF MAIL

Act of Dec. 14, 2023, P.L. 374, No. 41

Cl. 18

Session of 2023

No. 2023-41

SB 527

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in theft and related offenses, further providing for the offense of theft of mail.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 3936. Theft of mail.

(a) Unlawful taking.--A person is guilty of the offense of theft of mail if the person unlawfully takes, or exercises unlawful control over, mail of another person with intent to deprive the other person of mail.

(b) Unlawful transfer.--A person is guilty of the offense of theft of mail if the person unlawfully transfers, or exercises unlawful control over, mail of another person or an interest in mail of the other person with intent to benefit the person or another person not entitled to the mail or interest in the mail.

(c) Grading.--

(1) Theft of mail constitutes a:

(i) Summary offense if the offense is a first offense and the value of the mail is less than \$200.

(ii) Misdemeanor of the second degree if the offense is a second offense and the value of the mail is less than \$200.

(iii) Misdemeanor of the first degree if the offense is a first or second offense and the value of the mail is \$200 or more.

(iv) Felony of the third degree if the offense is a third or subsequent offense or if the value of the mail exceeds \$2,000.

(2) Amounts involved in thefts of mail committed pursuant to one scheme or course of conduct, whether from the same home or establishment or several homes or establishments, may be aggregated in determining the grade of the offense.

(d) Calculation of prior offenses.--For the purposes of this section, in determining whether an offense is a first, second, third or subsequent offense, the court shall include a conviction, acceptance of Accelerated Rehabilitative Disposition or other form of preliminary disposition occurring before the sentencing on the present violation for an offense under this section, an offense substantially similar to an offense under this section or under the prior laws of this Commonwealth or a similar offense under the statutes of any other state or of the United States.

(e) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Mail." A letter, package, bag, mail or item of value sent or delivered to another.

Section 2. This act shall take effect in 60 days.

APPROVED--The 14th day of December, A.D. 2023.

JOSH SHAPIRO