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FISCAL IMPACT REPORT

SPONSOR:	Dana	DATE TYPED:	02/10/00	HB	152/aHJC
SHORT TITLE:	Protection of Mails Act			SB	
				ANALYST:	O'Connell

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY00	FY01	FY00	FY01		
				NFI	NFI

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC files

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment strikes the use of the word "knowingly" and replaces it with the word "intentionally."

Synopsis of Bill

House Bill 152 enacts a new section of the Criminal Code entitled the Protection of Mails Act. The bill would provide new criminal offenses related to the obstruction of the mails or mail carriers, destruction of letter boxes or mail, or theft of mail.

Offenders who obstruct, destroy or steal mail in an amount less than \$100 would be guilty of a petty misdemeanor. Mail theft that involves mail valued over \$100 but less than \$1.0 is guilty of a misdemeanor; more than \$1.0 but less than \$2.5 a fourth degree felony; more than \$2.5 but less than \$20.0 a third degree felony; and over \$20.0 a second degree felony.

Significant Issues

House Bill 152 would offer affirmative defenses where the defendant was unaware that the property was that of another, the defendant reasonably believed that he or she was entitled to the property involved or had a right to acquire or dispose of it, or the property belonged to the defendant's lawful spouse, unless they were not living together as husband and wife and were living in separate residences.

BOC/njw:gm