

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 23

A bill to prohibit the theft of mail; to provide for the powers and duties of certain state and local governmental officers and entities; and to prescribe penalties and provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "mail
2 and mail depository protection act".

3 Sec. 2. As used in this act:

4 (a) "Mail" means a letter, postal card, package, bag, or any
5 other article or thing contained therein, or other sealed article
6 addressed to a person.

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

9 Sec. 3. (1) A person shall not take, hold, conceal, or destroy



1 mail addressed to another person with the intent to defraud any
2 person or deprive the person to whom the mail was addressed of the
3 mail.

4 (2) A person who violates this section is guilty of a crime
5 punishable as follows:

6 (a) Except as otherwise provided in subdivision (b), the
7 person is guilty of a misdemeanor punishable by imprisonment for
8 not more than 1 year or a fine of not more than \$500.00, or both.

9 (b) If the violation is a second or subsequent violation of
10 this section, the person is guilty of a felony punishable by
11 imprisonment for not more than 5 years or a fine of not more than
12 \$1,000.00, or both.

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

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

22 Enacting section 1. This act takes effect 90 days after the
23 date it is enacted into law.

