

1 ENGROSSED HOUSE
2 BILL NO. 2777

By: Ford of the House

3 and

4 Paxton of the Senate

5
6 An Act relating to the theft of mail; creating the
7 Porch Piracy Act of 2020; defining terms; making
8 certain act unlawful; providing penalties; providing
9 for the payment of restitution; providing for
10 noncodification; providing for codification; and
11 providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law not to be
14 codified in the Oklahoma Statutes reads as follows:

15 This act shall be known and may be cited as the "Porch Piracy
16 Act of 2020".

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1740.2 of Title 21, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Mail" means a letter, postal card, package, bag or any
22 other article or thing contained therein, or other sealed article
23 addressed to a person, that:

- 1 a. is delivered by a common carrier or delivery service
2 and not yet received by the addressee, or
3 b. has been left to be collected for delivery by a common
4 carrier or delivery service; and

5 2. "Person" means an individual, partnership, corporation,
6 limited liability company, association or other legal entity.

7 B. It shall be unlawful for any person to hold, conceal,
8 destroy or take mail from the mailbox or premises of another person
9 or from a delivery vehicle at any point throughout the delivery
10 route without the effective consent of the addressee and with the
11 intent to deprive the addressee of the mail.

12 C. Any person who violates the provisions of this section
13 shall, upon conviction, be guilty of a misdemeanor punishable by
14 imprisonment in the county jail for a term not to exceed one (1)
15 year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or
16 by both such fine and imprisonment.

17 D. When three or more separate offenses under this section are
18 committed within a sixty-day period, the person shall be guilty of a
19 felony punishable by imprisonment in the custody of the Department
20 of Corrections for a term of not less than two (2) years nor more
21 than five (5) years, or by a fine not to exceed Five Thousand
22 Dollars (\$5,000.00), or by both such fine and imprisonment.

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E. Any person convicted pursuant to the provisions of this section shall also be ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 3. This act shall become effective November 1, 2020.

Passed the House of Representatives the 3rd day of March, 2020.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2020.

Presiding Officer of the Senate