

The House Committee on Judiciary Non-Civil offers the following substitute to HB 954:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,  
2 relating to theft, so as to provide for the crime of theft by possession of stolen mail; to  
3 provide for the crime of porch piracy; to provide for definitions; to provide for penalties; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft,  
8 is amended by adding a new Code section to read as follows:

9 "16-8-24.

10 (a) As used in this Code section, the term:

11 (1) 'Mail' means a letter, post card, package, bag, or other sealed article that:

12 (A) Is delivered by the United States Postal Service, a common carrier, or a delivery  
13 service and has not yet been received by the person to whom it is addressed; or

14 (B) Has been left in a location to be collected for delivery by the United States Postal  
15 Service, a common carrier, or a delivery service.

16 (2) 'Possesses stolen mail' means to knowingly and without authority receive, retain,  
17 possess, conceal, or dispose of stolen mail knowing that it has been stolen and to  
18 withhold such stolen mail from the true owner or person to whom the mail is addressed  
19 or to appropriate such stolen mail to the use of any person other than the true owner or  
20 the person to whom the mail is addressed.

21 (b) A person shall be guilty of the crime of theft by possession of stolen mail if he or she:

22 (1) Possesses stolen mail addressed to three or more different mailboxes or addresses;  
23 and

24 (2) Possesses a minimum of ten separate pieces of stolen mail.

25 (c) A person who violates this Code section shall be guilty of a felony and, upon  
26 conviction thereof, shall be punished by imprisonment for not less than one nor more than  
27 five years.

28 (d) Each set of ten separate pieces of stolen mail addressed to three or more different  
29 mailboxes or addresses constitutes a separate and distinct crime and may be punished  
30 accordingly.

31 (e) The fact that the person who stole the mail has not been convicted, apprehended, or  
32 identified shall not be a defense to the charge of theft by possession of stolen mail."

33 **SECTION 2.**

34 Said article is further amended by adding a new Code section to read as follows:

35 "16-8-25.

36 (a) As used in this Code section, the term 'dwelling' has the same meaning as provided in  
37 Code Section 16-7-1.

38 (b) A person shall be guilty of the crime of porch piracy if such person takes, removes, or  
39 otherwise appropriates any envelope, bag, package, or other sealed article of another person  
40 without the permission of such other person from the porch, steps, or immediate vicinity  
41 of any entrance or exit of a dwelling.

42 (c) A person who violates this Code section shall be guilty of a felony and, upon  
43 conviction thereof, shall be punished by imprisonment for not less than one nor more than  
44 five years."

45 **SECTION 3.**

46 All laws and parts of laws in conflict with this Act are repealed.