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Sectional Analysis – HB 77 (Fin)

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"An Act making the theft of mail or an article within mail theft in the second degree."

Section 1 (Page 1, Line 3 – Page 2, Line 19) updates AS 11.46.130(a) to include mail theft as theft in the second degree. A person commits this crime if they take mail or an item in the mail through fraud or deception, or remove it from a post office, mail carrier, mailbox, or other authorized location. It also includes situations where someone knowingly receives or gets rid of stolen mail.

Section 2 (Page 2, Line 20 – Page 3, Line 9) adds definitions to clarify the new offense. It defines "authorized depository" as a mailbox or similar location used for sending or receiving mail. It also defines "mail," "mail receptacle," and "postage," along with "juvenile detention facility" and "juvenile treatment facility," using existing definitions in state law.

Section 3 (Page 3, Lines 10 – 22) adds affirmative defense for people who may have a valid reason to handle someone else's mail. These include having reasonable belief to have had the right to the mail, living with the recipient, having power of attorney, or being given permission to collect mail. It also states that facility employees performing official duties are not liable under this section.

Section 4 (Page 3, Lines 23 – 26) makes clear that the new law only applies to crimes committed after the effective date. It does not apply to past offenses.