



February 11, 2020

**SUMMARY OF ORIGINAL BILL:** Creates an offense to intentionally obtain mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail. Specifies that the punishment for a second or subsequent offense of mail theft must not be less than a Class D felony.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures – \$62,300 Incarceration\*

**SUMMARY OF AMENDMENT (014546):** Deletes and replaces all language after the enacting clause such that the only substantive change is to specify that it is an offense to take mail from a residential mailbox or from the curtilage of a dwelling without the consent of the addressee and with the intent to deprive the addresses of the mail.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to 18 United States Code § 1708, stealing mail is a federal crime punishable by up to \$250,000 and imprisonment of up to five years.
- Under current law in Tennessee, intentionally taking mail from another person's mailbox or premises without the consent of the addressee and with the intent to deprive the addressee of the mail can be charged as theft of property or services and graded per Tenn. Code Ann. § 39-14-105.
- The proposed legislation creates an offense to take mail from a residential mailbox or from the curtilage of a dwelling without the consent of the addressee and with the intent to deprive the addressee of the mail, punishable as theft under Tenn. Code Ann. § 39-14-105 after determining the value under Tenn. Code Ann. § 39-11-106, and the punishment for a second or subsequent mail theft offense must not be less than a Class D felony.
- The proposed legislation will result in one Class D felony admission every year.
- Population growth and recidivism will not impact these admissions.

- According to the Department of Correction, the average operating cost per offender per day for calendar year 2019 is \$75.52.
- The average time served for a Class D felony 2.26 years.
- Pursuant to Tenn. Code Ann. § 9-4-210, one offender will be admitted every year serving 825.47 days (2.26 x 365.25). The annualized increase in state incarceration expenditures is estimated to be \$62,339 [ $\$75.52 \times 825.47 \times 1$ ].
- Any impact on the court system is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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