

HB305 INTRODUCED



1 HB305
2 MDRD1HW-1
3 By Representatives Mooney, Estes, Harrison, Easterbrook,
4 Stringer, Lipscomb, DuBose, Butler, Yarbrough, Whorton, Brown,
5 Standridge, Stadthagen, Lamb, Kirkland, Starnes
6 RFD: Judiciary
7 First Read: 18-Feb-25



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SYNOPSIS:

Under existing law, it is unlawful for any person to knowingly obtain or exert control over the property of another with intent to deprive the owner of his or her property.

This bill would provide that it is unlawful for any person to knowingly obtain or exert unauthorized control over any item mailed or shipped to another person with intent to deprive the intended recipient of his or her property.

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses; to amend Section 13A-8-2, Code of Alabama 1975, to further provide for theft of property.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-8-2, Code of Alabama 1975, is amended to read as follows:

"§13A-8-2

(a) A person commits the crime of theft of property if he or she does any of the following:



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29 (1) Knowingly obtains or exerts unauthorized control
30 over the property of another~~r~~ with intent to deprive the owner
31 of his or her property.~~r~~

32 (2) Knowingly obtains by deception control over the
33 property of another~~r~~ with intent to deprive the owner of his
34 or her property.~~r~~

35 (3) Knowingly obtains or exerts control over property
36 in the custody of a law enforcement agency which was
37 explicitly represented to the person by an agent of the law
38 enforcement agency as being stolen~~r~~~~or~~.

39 (4) Knowingly obtains or exerts unauthorized control
40 over any donated item left on the property of a charitable
41 organization or in a drop box or trailer, or within 30 feet of
42 a drop box or trailer, belonging to a charitable organization.

43 (5) Knowingly obtains or exerts unauthorized control
44 over any item mailed or shipped to another person with intent
45 to deprive the intended recipient of his or her property.

46 (b) The limitations period for any prosecution under
47 ~~subdivision (2) of~~ subsection (a) (2) does not commence or
48 begin to accrue until the discovery of the facts constituting
49 the deception, after which the prosecution shall be commenced
50 within five years."

51 Section 2. This act shall become effective on October
52 1, 2025.