
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: March 4, 2022

Contact: Amber Otis, Senior Staff Attorney

2021 Senate Bill 831

Senate Amendment 1

CURRENT LAW

State law prohibits mail theft, defined as the act of intentionally taking or receiving the mail of another from a residence or other building (or the curtilage of a residence or other building) without the other's consent and with intent to deprive the other of permanent possession. Under current law, the criminal penalty for mail theft ranges from a Class A misdemeanor to a Class H felony, depending on the number of pieces of mail taken or received by one or more individuals in a course of conduct, or if the mail that is addressed to an adult at risk or an elder adult at risk, as follows:

- Class A misdemeanor, if fewer than 10 pieces of mail are taken or received.
- Class I felony, if at least 10 but fewer than 30 pieces of mail are taken or received.
- Class H felony, if 30 or more pieces of mail are taken or received.
- Class H felony, if the mail taken or received is addressed to an adult at risk or an elder adult at risk.

2021 SENATE BILL 831

2021 Senate Bill 831 modifies the penalties for the crime of mail theft, as follows:

- Class A misdemeanor, if fewer than three pieces of mail are taken or received.
- Class I felony, if three or more pieces of mail are taken or received.

The bill also repeals the specific penalty of a Class H felony for intentionally taking or receiving mail addressed to an adult at risk or an elder adult at risk.

SENATE AMENDMENT 1

Senate Amendment 1 maintains the penalty under current law, a Class H felony, for intentionally taking or receiving mail addressed to an adult at risk or an elder adult at risk.

BILL HISTORY

Senator Jagler offered Senate Amendment 1 on February 16, 2022. On March 2, 2022, the Senate Committee on Judiciary and Public Safety recommended adoption of Senate Amendment 1, and passage of Senate Bill 831, as amended, on votes of Ayes, 5; Noes, 2.

AO:jal