



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 437
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Crossman

Shalanda R. Plowden, Research Analyst

SUMMARY

- Creates the offense of postal package theft.
- Makes postal package theft a fifth degree felony.
- Makes theft and breaking and entering allied offenses of similar import to postal package theft if the violation involves the same victim.

DETAILED ANALYSIS

Postal package theft

The bill creates the offense of postal package theft.¹ Postal package theft means knowingly trespassing on a person's land or residence, land connected to a person's residence, or premises to remove a postal package with the purpose of taking the owner's package without permission.²

Penalty and prosecution

The bill makes committing the offense of postal package theft a fifth degree felony.³ If an offender is prosecuted for postal package theft, the offender is not precluded from being prosecuted for committing theft or breaking and entering based on the same conduct.⁴ However, if an offender is convicted of or pleads guilty to postal package theft and is also

¹ R.C. 2911.14(C).

² R.C. 2911.14(B).

³ R.C. 2911.14(C).

⁴ R.C. 2911.14(D).

convicted of or pleads guilty to theft or breaking and entering based on the same conduct involving the same victim, the two offenses are allied offenses of similar import.⁵

Definitions

The bill includes the following definitions:⁶

“**Curtilage**” means the land adjoining residential premises that is habitually used for residential purposes but is not necessarily enclosed. Curtilage includes an outbuilding that is directly connected with and in close proximity to the residential premises.

“**Postal package**” means a letter, package, parcel, bag, or container used to ship goods or sealed articles that is either: addressed to a person and left for the person by the United States Postal Service, a common carrier, or delivery service or left in a location to be collected for delivery by the U.S. Postal Service, a common carrier, or delivery service.

“**Residential premises**” means the building in which a residential unit is located and the grounds upon which that building stands, extending to the perimeter of the property. “Residential premises” includes any type of structure in which a residential unit is located, including multi-unit buildings and mobile and manufactured homes.

HISTORY

Action	Date
Introduced	09-29-21

ANHB0437IN-134/ks

⁵ R.C. 2911.14(D).

⁶ R.C. 2911.14(A).