

**76-6-1002 Damage to mail receptacle -- Penalties -- Greater offenses.**

- (1) A person commits the crime of damage to a mail receptacle if the person knowingly damages the condition of a mail receptacle, including:
- (a) taking, concealing, damaging, or destroying a key; or
  - (b) breaking open, tearing down, taking, damaging, or destroying a mail receptacle.
- (2)
- (a) In determining the degree of an offense committed under Subsection (1), the penalty levels in Subsection 76-6-106(3)(b) apply.
  - (b) If the act committed amounts to an offense subject to a greater penalty, this subsection does not prohibit prosecution and sentencing for the more serious offense.

Amended by Chapter 166, 2002 General Session