

Article - Courts and Judicial Proceedings

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§3–1301.

- (a) In this subtitle the following terms have the meanings indicated.
- (b) “Employee theft” means the theft of any merchandise from a mercantile establishment by an employee, agent, or contractor of the mercantile establishment.
- (c) “Mercantile establishment” means any place where merchandise is displayed, held, or offered for sale, either at retail or wholesale.
- (d) “Merchandise” means any goods, wares, commodity, money, or other personal property located on the premises of a mercantile establishment.
- (e) “Merchant” means the owner or operator of a mercantile establishment.
- (f) “Responsible person” means:
 - (1) Any individual, whether an adult or a minor, who commits or attempts to commit an act of shoplifting or employee theft; and
 - (2) The parents or legal guardians of an unemancipated minor who commits or attempts to commit an act of shoplifting or employee theft.
- (g) “Shoplift” means any 1 or more of the following acts committed by a person without the consent of the merchant and with the purpose or intent of appropriating merchandise to that person’s own use without payment, obtaining merchandise at less than its stated sales price, or otherwise depriving a merchant of all or any part of the value or use of merchandise:
 - (1) Removing any merchandise from its immediate place of display or from any other place on the premises of the mercantile establishment;
 - (2) Obtaining or attempting to obtain possession of any merchandise by charging that merchandise to another person without the authority of that person or by charging that merchandise to a fictitious person;
 - (3) Concealing any merchandise;
 - (4) Substituting, altering, removing, or disfiguring any label or price tag;
 - (5) Transferring any merchandise from a container in which that merchandise is displayed or packaged to any other container; or
 - (6) Disarming any alarm tag attached to any merchandise.

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