

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 429
Judiciary

(Delegates Lierman and Barron)

Courts - Civil Action by a Merchant - Award of Costs and Fees

This bill establishes that the prevailing party in a civil action pertaining to civil penalties for shoplifting and employee theft is entitled to an award of court costs and attorney's fees, unless otherwise ordered by the court.

Fiscal Summary

State Effect: The bill does not materially affect State finances.

Local Effect: The bill does not materially affect local finances.

Small Business Effect: Minimal impact on small businesses that do not prevail in civil actions covered by the bill and have to pay court costs and attorney's fees.

Analysis

Current Law: A merchant who prevails in a civil action pertaining to civil penalties for shoplifting and employee theft is entitled to an award of court costs and reasonable attorney's fees without regard to the ability of the responsible person to pay those fees and costs.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2015
min/kdm

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