
By: **Delegates K. Kelly, Cole, Giannetti, and Boschert**
Introduced and read first time: January 24, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Shoplifting and Employee Theft - Civil Penalties**

3 FOR the purpose of increasing the maximum civil penalty that a merchant may be
4 awarded against a responsible person for shoplifting and employee theft under
5 certain circumstances; and generally relating to civil penalties for shoplifting
6 and employee theft.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 3-1302
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2000 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Courts and Judicial Proceedings**

15 3-1302.

16 A responsible person is civilly liable to the merchant:

17 (1) To restore the merchandise to the merchant or, if the merchandise is
18 not recoverable, has been damaged, or otherwise has lost all or part of its value, to
19 pay the merchant an amount equal to the merchant's stated sales price for the
20 merchandise;

21 (2) To pay the merchant for any other actual damages sustained by the
22 merchant, not including the loss of time or wages incurred in connection with the
23 apprehension or prosecution of the shoplifter or employee; and

24 (3) Subject to the merchant's compliance with the procedures contained
25 in § 3-1303 of this subtitle, to pay the merchant a civil penalty equal to twice the
26 merchant's stated sales price for the merchandise, but not less than \$50 nor more
27 than [\$500] \$1,000.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.