

HOUSE BILL 242

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2001 Regular Session
11r1336
CF 11r1335;r1335

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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 16, 2001

CHAPTER _____

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; providing for the application of this Act; and generally
6 relating to civil penalties for shoplifting 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;

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
9 construed only prospectively and may not be applied or interpreted to have any effect
10 on or application to a cause of action arising before the effective date of this Act.

11 ~~SECTION 2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
12 effect October 1, 2001.