

SENATE BILL 265

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2001 Regular Session
(11r1335)

ENROLLED BILL
-- Judicial Proceedings/Judiciary --

Introduced by **Senators Jimeno, Collins, and DeGrange**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of ~~altering the maximum and minimum civil penalties~~ *increasing*
4 *the maximum civil penalty* that a merchant may be awarded against a
5 responsible person for shoplifting and employee theft under certain
6 circumstances; providing for the application of this Act; and generally relating to
7 civil penalties for shoplifting and employee theft.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 3-1302
11 Annotated Code of Maryland
12 (1998 Replacement Volume and 2000 Supplement)

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

1 **Article - Courts and Judicial Proceedings**

2 3-1302.

3 A responsible person is civilly liable to the merchant:

4 (1) To restore the merchandise to the merchant or, if the merchandise is
5 not recoverable, has been damaged, or otherwise has lost all or part of its value, to
6 pay the merchant an amount equal to the merchant's stated sales price for the
7 merchandise;8 (2) To pay the merchant for any other actual damages sustained by the
9 merchant, not including the loss of time or wages incurred in connection with the
10 apprehension or prosecution of the shoplifter or employee; and11 (3) Subject to the merchant's compliance with the procedures contained
12 in § 3-1303 of this subtitle, to pay the merchant a civil penalty equal to twice the
13 merchant's stated sales price for the merchandise, but not less than {\$50} \$400 nor
14 more than [\$500] \$1,000.15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
16 construed only prospectively and may not be applied or interpreted to have any effect
17 on or application to a cause of action arising before the effective date of this Act.18 SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take
19 effect October 1, 2001.