

SENATE BILL 265

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2001 Regular Session  
1lr1335  
CF 1lr1336

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By: **Senators Jimeno, Collins, and DeGrange**  
Introduced and read first time: January 26, 2001  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 14, 2001

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of altering the maximum and minimum civil penalties that a  
4 merchant may be awarded against a responsible person for shoplifting and  
5 employee theft under certain circumstances; providing for the application of this  
6 Act; and generally 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]\$100 nor  
7 more 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.