

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 191 (Senator King, *et al.*)
Judicial Proceedings

Criminal Law - Theft of Wheeled Cart - Penalty

This bill increases the penalty for theft of a wheeled cart or other similar device provided for the use of store patrons from \$25 to \$100.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues from fines collected in the District Court.

Local Effect: None.

Small Business Effect: Potential meaningful effect on small businesses if the increase in the fine for this offense deters the removal of shopping carts from stores.

Analysis

Current Law: State law prohibits a person from (1) removing a wheeled cart or other similar device provided for the purpose of assembling or carrying purchased materials from a grocery store, store, or market, including its parking facilities, without the permission of the owner or agent of the owner; (2) damaging any such cart or device; or (3) abandoning such a cart or device on the streets or alleys of the State. Violators are guilty of a misdemeanor, punishable by a fine of up to \$25 for each violation.

State law does permit a person to abandon a wheeled cart or other similar device on the parking facilities of the store or market from which the cart was obtained.

Under the theft statutes, a person convicted of theft of property or services valued at less than \$100 is guilty of a misdemeanor and is subject to maximum penalties of imprisonment of 90 days and/or a \$500 fine. A person convicted of theft of property with a value of less than \$1,000 is guilty of a misdemeanor and subject to maximum penalties of imprisonment for 18 months and/or a fine of \$500.

Background: The Judiciary advises that there were 11 cases for wheeled cart violations in the District Court during fiscal 2011. There were no cases in fiscal 2012.

Additional Information

Prior Introductions: None.

Cross File: HB 156 (Delegate Reznik, *et al.*) - Judiciary.

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

Fiscal Note History: First Reader - January 22, 2013
ncs/kdm

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