

## Article - Criminal Law

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§7–103.

(a) In this section, “value” means:

(1) the market value of the property or service at the time and place of the crime; or

(2) if the market value cannot satisfactorily be ascertained, the cost of the replacement of the property or service within a reasonable time after the crime.

(b) The value of property or service under this part shall be determined in accordance with this section.

(c) (1) Except as provided in paragraph (2) of this subsection, this subsection applies to a written instrument whether or not the instrument has been issued or delivered.

(2) This subsection does not apply to a written instrument that has a readily ascertainable market value.

(3) (i) For purposes of this part, a written instrument is valued as provided by this paragraph.

(ii) The value of an instrument constituting evidence of debt, including a check, draft, or promissory note, is the amount due or collectible on the instrument. That value is ordinarily the face amount of the instrument, less any portion that has been satisfied.

(iii) The value of any other instrument that creates, releases, discharges, or otherwise affects a valuable legal right, privilege, or obligation is the amount of economic loss the owner of the instrument might reasonably suffer because of the loss of the instrument.

(d) The value of a trade secret lacking a readily ascertainable market value is a reasonable value that represents the damage the owner suffered by the loss of an advantage over those who do not know or use the trade secret.

(e) (1) For the purposes of determining whether a theft violation subject to either § 7–104(g)(1) or (2) of this subtitle has been committed, when it cannot be

determined whether the value of the property or service is more or less than \$1,500 under the standards of this section, the value is deemed to be less than \$1,500.

(2) For the purposes of determining whether a theft violation subject to either § 7-104(g)(2) or (3) of this subtitle has been committed, when it cannot be determined whether the value of the property or service is more or less than \$100 under the standards of this section, the value is deemed to be less than \$100.

(f) When theft is committed in violation of this part under one scheme or continuing course of conduct, whether from the same or several sources:

(1) the conduct may be considered as one crime; and

(2) the value of the property or services may be aggregated in determining whether the theft is a felony or a misdemeanor.

(g) The value of a chip designated for use in a table game authorized under Title 9, Subtitle 1A of the State Government Article is:

(1) the face value depicted on the chip; or

(2) if no face value is depicted on the chip, the value designated by the Maryland Lottery and Gaming Control Commission based on the color of the chip.

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