

container, or clean laundered article, or description, name, mark or device that has been previously registered by any other person, or is at such time used or in use by any other person in good faith, whether under the provisions of this article or otherwise.

480.

In any prosecution under any of the provisions of the preceding sections, it shall not be necessary to set forth or describe the name, mark or device affixed or attached to or impressed or imprinted upon any returnable container, or the clean laundered or soiled article; nor to set forth the particulars of the registration of same or of the assignment or transfer of such registration, but it shall be sufficient to describe the container, or the clean laundered or soiled article, so as to permit of its identification averring that the same is distinctly marked, and is registered according to law, giving the name of the owner of such returnable container, or the clean laundered or soiled article, or of the owner or dealer using the same by virtue of such registration, or the name of the assignee or transferee thereof as the case may be.

480A.

(a) Nothing contained in this subtitle shall be construed as prohibiting the owner of any type of returnable container or article described in this subtitle from bringing a civil action, including an action for injunctive relief, to preserve the owner's rights, to recover damages, or to take and recover the returnable containers or articles from any person who unlawfully possesses the property of the owner.

(b) Nothing contained in this subtitle shall be construed as prohibiting a prosecution for theft under § 342 of this article.

[481.

All costs incurred in prosecutions under §§ 474 and 475 hereof, shall be assessed and collected in the same manner as in criminal cases, and be accounted for in the same manner as fines in cases of assault and battery are now by law disposed of.]

SECTION 2. AND BE IT FURTHER ENACTED, That the Administrative Office of the Courts shall develop procedures for the clerk of the circuit court for each county to transfer to the Secretary of State the records that the clerk has maintained under Article 27, §§ 471 through 473 of the Code or, in accordance with any other applicable provision of law, to otherwise dispose of records that are no longer required in the office of the clerk for budget, auditing, or other purposes.

SECTION 3. AND BE IT FURTHER ENACTED, That, after the transfer of records under this Act, the Secretary of State is authorized to issue certified copies of those records with the same legal force and effect as if the copies had been issued by a clerk prior to the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is not intended, and may not be construed, to affect any registration or document issued under Article 27, §§ 471 through 481 of the Code prior to the effective date of this Act. Documents that were issued by a clerk of a circuit court prior to the effective date of this Act shall continue in effect in accordance with the provisions of Article 27, §§ 471 through 481 of the Code.