

Section 3-1301 through 3-1308, inclusive, to be under the new subtitle "Subtitle 13. Civil Penalties for Shoplifting and Employee Theft"

Annotated Code of Maryland

(1989 Replacement Volume and 1990 Supplement)

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

Article - Courts and Judicial Proceedings

SUBTITLE 13. CIVIL PENALTIES FOR SHOPLIFTING AND EMPLOYEE THEFT

3-1301.

(A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(B) "EMPLOYEE THEFT" MEANS THE THEFT OF ANY MERCHANDISE FROM A MERCANTILE ESTABLISHMENT BY AN EMPLOYEE, AGENT, OR CONTRACTOR OF THE MERCANTILE ESTABLISHMENT.

(C) "MERCHANT" MEANS THE OWNER OR OPERATOR OF A MERCANTILE ESTABLISHMENT.

(D) "MERCANTILE ESTABLISHMENT" MEANS ANY PLACE WHERE MERCHANDISE IS DISPLAYED, HELD, OR OFFERED FOR SALE, EITHER AT RETAIL OR WHOLESALE.

(E) "MERCHANDISE" MEANS ANY GOODS, WARES, COMMODITY, MONEY, OR OTHER PERSONAL PROPERTY LOCATED ON THE PREMISES OF A MERCANTILE ESTABLISHMENT.

(F) "RESPONSIBLE PERSON" MEANS:

(1) ANY INDIVIDUAL, WHETHER AN ADULT OR EMANCIPATED MINOR A MINOR, WHO COMMITS OR ATTEMPTS TO COMMIT AN ACT OF SHOPLIFTING OR EMPLOYEE THEFT; ~~OR AND~~

(2) THE PARENTS OR LEGAL GUARDIANS OF AN UNEMANCIPATED MINOR WHO COMMITS OR ATTEMPTS TO COMMIT AN ACT OF SHOPLIFTING OR EMPLOYEE THEFT.

(G) "SHOPLIFT" MEANS ANY 1 OR MORE OF THE FOLLOWING ACTS COMMITTED BY A PERSON WITHOUT THE CONSENT OF THE MERCHANT AND WITH THE PURPOSE OR INTENT OF APPROPRIATING MERCHANDISE TO THAT PERSON'S OWN USE WITHOUT PAYMENT, OBTAINING MERCHANDISE AT LESS THAN ITS STATED SALES PRICE, OR OTHERWISE DEPRIVING A MERCHANT OF ALL OR ANY PART OF THE VALUE OR USE OF MERCHANDISE: