

SB0508/393624/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 508
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Penalties” and substitute “Remedies”; in line 3, after “of” insert “repealing a certain provision of law providing that a responsible person is civilly liable to a merchant for certain civil penalties for shoplifting and employee theft;”; in line 9, strike “and civil penalties”; in line 10, strike “a certain civil penalty” and substitute “certain damages”; in line 11, after “violations;” insert “requiring certain merchants to report certain information to the Department of Labor, Licensing, and Regulation on or before a certain date; providing for the termination of a certain provision of this Act;”; in the same line, after “stylistic” insert “and conforming”; and in line 12, strike “penalties” and substitute “remedies”.

On page 2, in line 8, after “3-1306.1” insert “and 3-1309”.

AMENDMENT NO. 2

On page 2, in line 14, strike “Civil Penalties” and substitute “**REMEDIES**”.

On page 3, in line 17, after the semicolon insert “and”; strike beginning with the semicolon in line 20 down through “\$1,000” in line 23; and strike in their entirety lines 25 through 31, inclusive.

On page 4, in line 1, strike “(b)” and substitute “**(A)**”; in the same line, strike “The” and substitute “**IF A MERCHANT ELECTS TO SEEK THE DAMAGES AVAILABLE UNDER § 3-1302 OF THIS SUBTITLE, THE**”; strike in their entirety lines 15 and 16; in lines 17, 19, 23, and 27, strike “**(V)**”, “**(VI)**”, “**(VII)**”, and “**(VIII)**”, respectively, and substitute “**(IV)**”, “**(V)**”, “**(VI)**”, and “**(VII)**”, respectively; in lines 17 and 20, in each instance, strike “and civil penalty”; and in line 30, strike “**AND CIVIL PENALTY**”.

(Over)

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On page 5, in line 2, strike “AND PENALTIES”; in lines 8, 15, and 24, strike “(c)”, “(b)(2)(i) through ~~(v)~~ (VIII)”, and “(d)”, respectively, and substitute “(B)”, “(A)(2)(I) THROUGH (VII)”, and “(C)”, respectively; and in line 22, strike “penalties,”.

On pages 5 and 6, strike beginning with “and” in line 35 on page 5 down through “penalty” in line 1 on page 6.

On page 6, in lines 17 and 19, in each instance, strike “and penalties”; in lines 23 and 24, in each instance, strike “AND CIVIL PENALTIES”; in lines 26 and 27, strike “OR A CIVIL PENALTY”.

On page 7, strike beginning with the colon in line 15 down through “Do” in line 18 and substitute “DO”; and in line 23, strike “and civil penalty”.

AMENDMENT NO. 3

On page 7, after line 24, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

3-1309.

ON OR BEFORE JANUARY 15 OF EACH YEAR, A MERCHANT THAT SOUGHT DAMAGES UNDER THIS SUBTITLE DURING THE PRECEDING CALENDAR YEAR SHALL SUBMIT A LETTER TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION THAT INCLUDES THE FOLLOWING INFORMATION FOR THE PRECEDING CALENDAR YEAR:

- (1) THE NUMBER OF ALLEGED SHOPLIFTING OR EMPLOYEE THEFT INCIDENTS;
- (2) THE NUMBER OF DEMAND LETTERS SENT BY THE MERCHANT;
- (3) THE AMOUNT OF MONEY RECEIVED IN RESPONSE TO THOSE DEMAND LETTERS;
- (4) THE NUMBER OF CRIMINAL PROSECUTIONS SOUGHT BY THE MERCHANT AND THE FINAL DISPOSITIONS OF THOSE PROSECUTIONS; AND
- (5) THE NUMBER OF CIVIL SUITS FILED UNDER THIS SUBTITLE BY THE MERCHANT AND THE FINAL DISPOSITION OF THOSE SUITS.”;

in line 25, strike “2.” and substitute “3.”; and in line 26, after “2016.” insert “Section 2 of this Act shall remain effective for a period of 3 years and, at the end of September 30, 2019, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.