

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 14
6

7 H.P. 16

House of Representatives, January 3, 1985.

8 Reference to the Committee on Judiciary suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Macomber of So. Portland.

Cosponsored by Senator Gill of Cumberland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Provide for the Recovery of Civil
18 Damages from Shoplifters.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 17 MRSA §3522 is enacted to read:

23 §3522. Civil recovery from shoplifters

24 Any adult or emancipated juvenile who has ob-
25 tained or exercised unauthorized control over the
26 merchandise of a retail establishment or store with
27 the intent to deprive the store or establishment of
28 the merchandise shall be liable to the store or es-
29 tablishment for damages of not less than \$50 nor more
30 than \$500, plus court costs, in addition to the re-
31 tail value of the merchandise, if not returned in
32 merchantable condition. The parent or legal guardian
33 having custody of an unemancipated juvenile who has
34 obtained or exercised unauthorized control over the
35 merchandise of a retail establishment or store with

1 the intent to deprive the store or establishment of
2 the merchandise shall be liable to the store or es-
3 tablishment for the damages set forth in this sec-
4 tion. An action for recovery of damages pursuant to
5 this section may be brought as a small claims action
6 if the total damages do not exceed the jurisdictional
7 limit for small claims actions. The District Court
8 shall have jurisdiction over actions brought pursuant
9 to this section. The provisions of this section are
10 in addition to any other civil remedies of the retail
11 establishment or store.

12 STATEMENT OF FACT

13 The purpose of this bill is to provide merchants
14 with a civil recovery remedy against shoplifters and
15 to provide a deterrent against shoplifting.

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