

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 927

H.P. 686 House of Representatives, March 25, 1987
Reference to the Committee on Legal Affairs suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative DELLERT of Gardiner.

Cosponsored by Representative SEAVEY of Kennebunkport,
Senators CLARK of Cumberland and BRANNIGAN of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

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

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

17 MRSA §3522 is enacted to read:

§3522. Civil recovery from shoplifters

Any adult or emancipated juvenile who has ob-
tained or exercised unauthorized control over the
merchandise of a retail establishment or store with
the intent to deprive the store or establishment of
the merchandise is liable to the store or establish-
ment for damages of not less than \$50 nor more than
\$500, plus court costs, in addition to the retail
value of the merchandise, if not returned in mer-

1 chantable condition. The parent or legal guardian
2 having custody of an unemancipated juvenile who has
3 obtained or exercised unauthorized control over the
4 merchandise of a retail establishment or store with
5 the intent to deprive the store or establishment of
6 the merchandise is liable to the store or establish-
7 ment for the damages set forth in this section. An
8 action for recovery of damages pursuant to this sec-
9 tion may be brought as a small claims action if the
10 total damages do not exceed the jurisdictional limit
11 for small claims actions. The District Court shall
12 have jurisdiction over actions brought pursuant to
13 this section. The provisions of this section are in
14 addition to any other civil remedies of the retail
15 establishment or store.

16

STATEMENT OF FACT

17 The purpose of this bill is to provide merchants
18 with a civil recovery remedy against shoplifters and
19 to provide a deterrent against shoplifting.

20

0443031087