

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 660

H.P. 466

House of Representatives, February 19, 1991

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative DiPIETRO of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act Concerning Liability for Damage to Property as a Result of
Shoplifting.**



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

4 14 MRSA c. 728 is enacted to read:

6 CHAPTER 728

8 CIVIL RECOVERY FOR SHOPLIFTING

10 §7131. Civil recovery for shoplifting

12 1. Liable for costs, price and damages. Any person who
shoplifts, or the parents or legal guardians of an unemancipated
14 minor who shoplifts, is liable in a civil action to the owner of
the goods, merchandise or produce shoplifted for:

16 A. The actual and reasonable costs of maintaining the
action, including court costs and reasonable attorney's fees;

18 B. The retail value of the goods, merchandise or produce
20 taken, if not recovered by the time of the commencement of
the action or if recovered in an unmerchantable condition;
22 and

24 C. Damages in an amount not to exceed \$500.

26 2. Conviction for theft not required. A conviction for
theft under Title 17-A, chapter 15, is not required for the
28 maintenance of an action under this section.

30 3. Shoplifting defined. For the purposes of this section,
a person shoplifts goods, merchandise or produce if, with the
32 intent to convert the goods, merchandise or produce to the
person's own use without having paid the purchase price, that
34 person:

36 A. Takes possession of goods or merchandise displayed or
offered for sale by any retail establishment;

38 B. Takes from any real property any agricultural produce
40 kept, grown or raised on the property for purposes of sale;
or

42 C. Alters the price indicia of goods or merchandise.

44 **STATEMENT OF FACT**

46 The purpose of this bill is to provide a civil action for
48 the recovery of damages against those who shoplift.