

OF

(4) IN CASES OF THEFT OF A TRADE SECRET, THAT THE DEFENDANT RIGHTFULLY KNEW THE TRADE SECRET OR THAT IT WAS AVAILABLE TO HIM FROM A SOURCE OTHER THAN THE OWNER OF THE TRADE SECRET.

(D) ALL COMMON LAW AND EVIDENTIARY PRESUMPTIONS APPLICABLE ON JULY 1, 1979 TO OFFENSES WHICH ARE CONSOLIDATED UNDER THE PROVISIONS OF THIS SUBHEADING ARE ALSO APPLICABLE TO THE OFFENSE OF THEFT, UNLESS SPECIFICALLY REPEALED OR MODIFIED BY THE PROVISIONS OF THIS SUBHEADING, OR UNLESS MODIFIED BY COURT DECISIONS RENDERED AFTER JULY 1, 1979.

344. CHARGING DOCUMENT.

(A) INDICTMENT, INFORMATION, WARRANT, OR OTHER CHARGING DOCUMENT. IN ANY INDICTMENT, INFORMATION, WARRANT, OR OTHER CHARGING DOCUMENT FOR THEFT IT IS SUFFICIENT TO USE A FORMULA SUBSTANTIALLY TO THE FOLLOWING EFFECT: "THAT A-B ON THE ____ DAY OF _____, 19__, IN THE COUNTY (CITY) AFORESAID, DID STEAL (HERE SPECIFYING THE PROPERTY OR SERVICES STOLEN) OF C-D, HAVING A VALUE OF (LESS THAN \$300 OR \$300 OR GREATER) IN VIOLATION OF ARTICLE 27, SECTION 342, OF THE ANNOTATED CODE OF MARYLAND; CONTRARY TO THE FORM OF THE ACT OF ASSEMBLY IN SUCH CASE MADE AND PROVIDED, AND AGAINST THE PEACE, GOVERNMENT AND DIGNITY OF THE STATE."

(E) OFFENSES INVOLVING BAD CHECKS. THE OBTAINING OF PROPERTY OR SERVICES BY A BAD CHECK AS DEFINED IN SECTIONS 140 TO 144 SHALL NOT BE PROSECUTED AS THEFT AS DEFINED IN THIS SUBHEADING UNLESS THE DEFENDANT COMMITS DECEPTION AS PROVIDED IN SECTION 342 IN ADDITION TO ANY FALSE REPRESENTATION OR FALSE REPRESENTATIONS THAT THERE ARE SUFFICIENT FUNDS IN THE DRAWEE BANK TO COVER THE CHECK. IN ANY PROSECUTION FOR THEFT, THE PRESUMPTIONS DEFINED IN SECTION 142 SHALL APPLY TO THE SAME EXTENT AS IF THE PROSECUTION ~~WERE~~ WERE UNDER SECTION 342.

BAD CHECKS

140. DEFINITIONS.

IN THIS SUBHEADING, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(A) "CHECK" MEANS ANY CHECK, DRAFT, OR OTHER NEGOTIABLE INSTRUMENT OF ANY KIND WHICH IS NOT POSTDATED WITH RESPECT TO THE TIME OF UTTERANCE.

(E) "DRAWER" OF A CHECK MEANS A PERSON WHOSE NAME APPEARS THEREON AS THE PRIMARY OBLIGOR, WHETHER THE ACTUAL SIGNATURE BE THAT OF HIMSELF OR OF A PERSON PURPORTEDLY AUTHORIZED TO DRAW THE CHECK IN HIS BEHALF.