

THE OBTAINING OF PROPERTY OR SERVICES BY UTTERING OR PASSING A BAD CHECK, WHEN THE UTTERING OR PASSING IS NOT ACCOMPANIED BY ANY FALSE REPRESENTATIONS OTHER THAN A FALSE REPRESENTATION OR FALSE REPRESENTATION THAT THERE ARE SUFFICIENT FUNDS WITH THE DRAWEE TO COVER THE CHECK, SHALL NOT BE PROSECUTED UNDER THE SUBHEADING "THEFT" OF THIS ARTICLE, OR UNDER ANY OTHER SECTION OF THIS ARTICLE IF THE PERSON WHO OBTAINS THE PROPERTY OR SERVICES MAKES THE CHECK GOOD WITHIN TEN DAYS OF DISHONOR BY THE DRAWEE OF THE CHECK; AND NO PROSECUTION SHALL BE COMMENCED BY WARRANT, INFORMATION, INDICTMENT, OR OTHERWISE OTHER CHARGING DOCUMENT UNTIL THE EXPIRATION OF THAT PERIOD OF TEN DAYS.

SECTION 2. AND BE IT FURTHER ENACTED, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Courts and Judicial Proceedings

5-306.

A MERCHANT OR AN AGENT OR EMPLOYEE OF THE MERCHANT WHO DETAINS OR CAUSES THE ARREST OF ANY PERSON SHALL NOT BE HELD CIVILLY LIABLE FOR DETENTION, SLANDER, MALICIOUS PROSECUTION, FALSE IMPRISONMENT, OR FALSE ARREST OF THE PERSON DETAINED OR ARRESTED, WHETHER THE DETENTION OR ARREST TAKES PLACE BY THE MERCHANT OR BY HIS AGENT OR EMPLOYEE, IF IN DETAINING OR IN CAUSING THE ARREST OF THE PERSON, THE MERCHANT OR THE AGENT OR EMPLOYEE OF THE MERCHANT HAD, AT THE TIME OF THE DETENTION OR ARREST, PROBABLE CAUSE TO BELIEVE THAT THE PERSON COMMITTED THE CRIME OF "THEFT", AS PROHIBITED BY SECTION 342 OF ARTICLE 27 OF THE CODE, OF PROPERTY OF THE MERCHANT FROM THE PREMISES OF THE MERCHANT.

SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 142A of Article 27 - Crimes and Punishments of the Annotated Code of Maryland be renumbered to be Section(s) 145 and to be under the new subheading "Credit Card Offenses" to read as follows:

Article 27 - Crimes and Punishments

CREDIT CARD OFFENSES

[ 142A. ] 145.

(a) For the purposes of this section:

(1) "Cardholder" means the person or organization named on the face of a credit card to whom or for whose benefit the credit card is issued by an issuer.

(2) "Credit card" means an instrument or device, whether known as a credit card, credit plate, or by any other name, issued by an issuer for the use of the cardholder in obtaining money, goods, services or anything