

CHAPTER 480

(House Bill 461)

AN ACT concerning

Crimes - Electronic Security Systems - Retail Establishments

FOR the purpose of including in the definition of electronic security system certain devices used in retail establishments designed to prevent theft; prohibiting the possession of certain items intended to shield merchandise or deactivate or remove electronic security systems or parts of electronic security systems under certain circumstances; and generally relating to electronic security systems.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 40B

Annotated Code of Maryland

(1996 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

40B.

(a) In this section the following words have the meanings indicated.

(1) "Code grabbing device" means a device that is capable of receiving and recording the coded signal sent by the transmitter of an electronic security system and playing back the signal to disarm the electronic security system.

(2) "Electronic security system" includes:

- (i) An electronic home security system;
- (ii) A motor vehicle security alarm system;
- (iii) An automatic garage door opener; [and]
- (iv) A home detention monitoring device; AND

(V) AN ELECTRONIC OR MAGNETIC THEFT DETECTION DEVICE USED IN A RETAIL ESTABLISHMENT DESIGNED TO PREVENT THEFT.

(b) A person may not manufacture, sell, use, or possess a code grabbing device with the intent for the code grabbing device to be used in the commission of a crime.

(C) A PERSON MAY NOT KNOWINGLY POSSESS WITH INTENT TO COMMIT THEFT ANY ~~LAMINATED OR COATED BAG, CLOTHING, OR DEVICE~~ INTENDED TO SHIELD MERCHANDISE FROM DETECTION BY AN ELECTRONIC SECURITY SYSTEM.