

(III) WITH RESPECT TO A PERSON'S KNOWLEDGE OF THE EXISTENCE OF A PARTICULAR FACT, IF THAT KNOWLEDGE IS AN ELEMENT OF A CRIME, WHEN THE PERSON IS PRACTICALLY CERTAIN OF THE EXISTENCE OF THAT FACT.

(2) THE TERMS "KNOWING" AND "WITH KNOWLEDGE" ARE CONSTRUED IN THE SAME MANNER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 340(e) and the first sentence of § 341.

In the introductory language of subsection (a) of this section, the word "includes" is substituted for the former reference to the crime of theft "embracing, among others" certain formerly designated crimes for consistency with other revised articles of the Code. See Art. 1, § 30.

Throughout subsection (b) of this section, the references to "a person's" conduct or "a person's" knowledge are added for clarity.

In subsection (b)(1)(i) through (iii) of this section, the term "crime" is substituted for the former references to an "offense" for consistency within this article. See General Revisor's Note to article.

In subsection (b)(1)(iii) of this section, the requirement that a person act "with respect to" the knowledge of a particular fact is added for clarity.

Defined terms: "Person" § 1-101

"Property" § 7-101

"Theft" § 7-101

7-103. DETERMINATION OF VALUE.

(A) "VALUE" DEFINED.

IN THIS SECTION, "VALUE" MEANS:

(1) THE MARKET VALUE OF THE PROPERTY OR SERVICE AT THE TIME AND PLACE OF THE CRIME; OR

(2) IF THE MARKET VALUE CANNOT SATISFACTORILY BE ASCERTAINED, THE COST OF THE REPLACEMENT OF THE PROPERTY OR SERVICE WITHIN A REASONABLE TIME AFTER THE CRIME.

(B) IN GENERAL.

THE VALUE OF PROPERTY OR SERVICE UNDER THIS PART SHALL BE DETERMINED IN ACCORDANCE WITH THIS SECTION.

(C) WRITTEN INSTRUMENT.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBSECTION APPLIES TO A WRITTEN INSTRUMENT WHETHER OR NOT THE INSTRUMENT HAS BEEN ISSUED OR DELIVERED.