

(2) THIS SUBSECTION DOES NOT APPLY TO A WRITTEN INSTRUMENT THAT HAS A READILY ASCERTAINABLE MARKET VALUE.

(3) (I) FOR PURPOSES OF THIS PART, A WRITTEN INSTRUMENT IS VALUED AS PROVIDED BY THIS PARAGRAPH.

(II) THE VALUE OF AN INSTRUMENT CONSTITUTING EVIDENCE OF DEBT, INCLUDING A CHECK, DRAFT, OR PROMISSORY NOTE, IS THE AMOUNT DUE OR COLLECTIBLE ON THE INSTRUMENT. THAT VALUE IS ORDINARILY THE FACE AMOUNT OF THE INSTRUMENT, LESS ANY PORTION THAT HAS BEEN SATISFIED.

(III) THE VALUE OF ANY OTHER INSTRUMENT THAT CREATES, RELEASES, DISCHARGES, OR OTHERWISE AFFECTS A VALUABLE LEGAL RIGHT, PRIVILEGE, OR OBLIGATION IS THE AMOUNT OF ECONOMIC LOSS THE OWNER OF THE INSTRUMENT MIGHT REASONABLY SUFFER BECAUSE OF THE LOSS OF THE INSTRUMENT.

(D) TRADE SECRET.

THE VALUE OF A TRADE SECRET LACKING A READILY ASCERTAINABLE MARKET VALUE IS A REASONABLE VALUE THAT REPRESENTS THE DAMAGE THE OWNER SUFFERED BY THE LOSS OF AN ADVANTAGE OVER THOSE WHO DO NOT KNOW OR USE THE TRADE SECRET.

(E) WHEN VALUE CANNOT BE DETERMINED.

WHEN IT CANNOT BE DETERMINED WHETHER THE VALUE OF THE PROPERTY OR SERVICE IS MORE OR LESS THAN \$500 UNDER THE STANDARDS OF THIS SECTION, THE VALUE IS DEEMED TO BE LESS THAN \$500.

(F) COURSE OF CONDUCT — AGGREGATION.

WHEN THEFT IS COMMITTED IN VIOLATION OF THIS PART UNDER ONE SCHEME OR CONTINUING COURSE OF CONDUCT, WHETHER FROM THE SAME OR SEVERAL SOURCES:

(1) THE CONDUCT MAY BE CONSIDERED AS ONE CRIME; AND

(2) THE VALUE OF THE PROPERTY OR SERVICES MAY BE AGGREGATED IN DETERMINING WHETHER THE THEFT IS A FELONY OR A MISDEMEANOR.

REVISOR'S NOTE: Subsections (a) and (c) through (f) of this section are new language derived without substantive change from former Art. 27, § 340(n).

Subsection (b) of this section is new language added for clarity.

In subsection (a)(2) of this section, the reference to the replacement of "service" is added as implicit in light of subsection (a)(1) of this section.