

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

**Article - Courts and Judicial Proceedings**

5-402.

(A) 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 § 7-104 of the Criminal Law Article, of property of the merchant from the premises of the merchant.

(B) AN OWNER OR LESSEE OF A MOTION PICTURE THEATER OR AN AGENT OR EMPLOYEE OF THE OWNER OR LESSEE WHO DETAINS OR CAUSES THE ARREST OF ANY PERSON MAY NOT BE HELD CIVILLY LIABLE FOR DETENTION, DEFAMATION, MALICIOUS PROSECUTION, FALSE IMPRISONMENT, OR FALSE ARREST OF THE PERSON DETAINED OR ARRESTED, IF IN DETAINING OR CAUSING THE ARREST OF THE PERSON, THE OWNER, LESSEE, AGENT, OR EMPLOYEE HAD, AT THE TIME OF THE DETENTION OR ARREST, PROBABLE CAUSE TO BELIEVE THAT THE PERSON COMMITTED IN THE MOTION PICTURE THEATER A VIOLATION OF § 7-308(E) OF THE CRIMINAL LAW ARTICLE.

**Article - Criminal Law**

7-308.

(a) (1) In this section the following words have the meanings indicated.

(2) "Deliver" means to sell, rent, distribute, or circulate.

(3) "Performance" includes a live performance and a performance that is transmitted by wire, radio, or television.

(4) "Recorded article" means a phonograph record, disc, wire, tape, film, videocassette, or other article on which sounds are recorded or otherwise stored.

(b) (1) This subsection applies only to sound recordings initially fixed before February 15, 1972.

(2) Except as otherwise provided in this section, a person may not knowingly transfer or cause to be transferred any sounds recorded on a recorded article to any other recorded article:

(i) with the intent to sell or cause to be sold for profit or used to promote the sale of any product; and

(ii) without the consent of the owner of the original fixation of sounds embodied in the master recorded article.