

(II) SPECIFY THE DATE BY WHICH THE RESPONSIBLE PERSON SHALL MAKE THE REQUIRED PAYMENT TO AVOID CIVIL ACTION, WHICH DATE SHALL BE AT LEAST 10 DAYS FROM THE POSTMARK DATE OF THE SECOND DEMAND LETTER; AND

(III) ADVISE THE RESPONSIBLE PERSON THAT, IF THE REQUIRED PAYMENT IS NOT MADE IN FULL ON OR BEFORE THE DATE SPECIFIED IN THE SECOND DEMAND LETTER, THE RESPONSIBLE PERSON WILL BE SUBJECT TO IMMEDIATE INSTITUTION OF A CIVIL SUIT FOR DAMAGES, PENALTIES, COURT COSTS, AND REASONABLE ATTORNEY'S FEES.

(D) THE MERCHANT SHALL GET A CERTIFICATE OF MAILING FROM THE U. S. POSTAL SERVICE FOR EACH INITIAL DEMAND LETTER AND SECOND DEMAND LETTER MAILED TO A RESPONSIBLE PERSON UNDER THIS SECTION.

3-1304.

A RESPONSIBLE PERSON WHO COMPLIES FULLY WITH AN INITIAL DEMAND LETTER OR A SECOND DEMAND LETTER ON OR BEFORE THE DATE SPECIFIED IN THAT DEMAND LETTER MAY NOT INCUR ANY FURTHER CIVIL LIABILITY TO THE MERCHANT FOR DAMAGES ARISING OUT OF THE ACT OF SHOPLIFTING OR EMPLOYEE THEFT THAT WAS THE SUBJECT OF THE DEMAND LETTER.

3-1305.

(A) IF THE SECOND DEMAND LETTER IS RETURNED UNCLAIMED TO THE MERCHANT OR IF FULL PAYMENT IS NOT OTHERWISE RECEIVED BY THE MERCHANT ON OR BEFORE THE DATE SPECIFIED IN THE SECOND DEMAND LETTER, THE MERCHANT MAY FILE A CIVIL ACTION TO RECOVER THE DAMAGES AND THE CIVIL PENALTY PROVIDED UNDER FOR IN § 3-1302 OF THIS SUBTITLE, TOGETHER WITH COURT COSTS AND REASONABLE ATTORNEY'S FEES.

(B) IF THE MERCHANT PREVAILS IN A CIVIL ACTION BROUGHT UNDER THIS SUBTITLE, THE MERCHANT SHALL ALSO BE ENTITLED TO AN AWARD OF COURT COSTS AND REASONABLE ATTORNEY'S FEES, TO BE ASSESSED WITHOUT REGARD TO THE ABILITY OF THE RESPONSIBLE PERSON TO PAY.

3-1306.

(A) CRIMINAL PROSECUTION FOR AN OFFENSE OF THEFT UNDER ARTICLE 27 § 342 OF THE CODE IS NOT A PREREQUISITE TO THE MAINTENANCE OF A CIVIL ACTION UNDER THIS SUBTITLE.