



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 1039

H.P. 675

House of Representatives, March 7, 2023

**An Act to Provide Restitution for Victims of Shoplifting for Time
Spent Dealing with the Offense**

Reference to the Committee on Judiciary suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative POLEWARCZYK of Wiscasset.
Cosponsored by Representatives: BAGSHAW of Windham, LEMELIN of Chelsea, LYMAN
of Livermore Falls, RUDNICKI of Fairfield, SAMPSON of Alfred.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §2002, sub-§3, ¶H-1** is enacted to read:

3 H-1. "Shoplifting" means the intentional concealment of retail merchandise with the
4 intent to deprive the retail store of the merchandise. For purposes of this paragraph,
5 "intent to deprive" has the same meaning as in section 352, subsection 3.

6 **Sec. 2. 17-A MRSA §2002, sub-§3, ¶I,** as enacted by PL 2019, c. 113, Pt. A, §2,
7 is amended to read:

8 I. "Work loss" means loss of income from work the injured person would have
9 performed if the injured person had not been injured and expenses reasonably incurred
10 by the injured person in obtaining services in lieu of those the injured person would
11 have performed for income, reduced by any income for substitute work actually
12 performed by the injured person or by income the injured person would have earned in
13 available appropriate substitute work the injured person was capable of performing but
14 unreasonably failed to undertake. For a victim of a human trafficking offense as
15 defined in Title 5, section 4701, subsection 1, paragraph C, "work loss" includes pay
16 or benefits unfairly or illegally withheld from the victim by the offender or any unfair
17 labor agreement under Title 26, section 629, as defined by rules adopted by the
18 Department of Labor. For a victim of shoplifting, "work loss" includes the time spent
19 by the victim, an employee of the victim or an agent of the victim dealing with the
20 offense, including time investigating the offense, pursuing the offender, engaging with
21 law enforcement, engaging with attorneys and appearing in court.

22 **SUMMARY**

23 This bill allows restitution to be paid to a victim of shoplifting for the time spent by the
24 victim dealing with the offense.