604.14 CIVIL LIABILITY FOR THEFT.

Subdivision 1. **Liability for theft of property.** A person who steals personal property from another is civilly liable to the owner of the property for its value when stolen plus punitive damages of either $50 or up to 100 percent of its value when stolen, whichever is greater. If the property is merchandise stolen from a retail store, its value is the retail price of the merchandise in the store when the theft occurred.

Subd. 2. **Notice.** In order to recover under subdivision 1 for the theft of a shopping cart, a store must have posted at the time of the theft a conspicuous notice describing the liability under subdivision 1.

Subd. 3. **Liability of parent or guardian.** Section 540.18 applies to this section, except that recovery is not limited to special damages.

Subd. 4. **Criminal action.** The filing of a criminal complaint, conviction, or guilty plea is not a prerequisite to liability under this section. Payment or nonpayment may not be used as evidence in a criminal action.

Subd. 5. **Recovery of property.** The recovery of stolen property by a person does not affect liability under this section, other than liability for the value of the property.

Subd. 6. **Right to demand payment.** A person may make a written demand for payment for the liability imposed by this section before beginning an action, including a copy of this section and a description of the liability contained in this section.

History: *1988 c 481 s 1; 1989 c 224 s 2; 1989 c 262 s 4*