

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

CHAPTER 28
HOUSE BILL 145

AN ACT TO AMEND THE LAW REGARDING THE CONCEALMENT OF
MERCHANDISE IN MERCANTILE ESTABLISHMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-72.1(c) reads as rewritten:

"(c) A merchant, or ~~his~~the merchant's agent or employee, or a peace officer who detains or causes the arrest of any person shall not be held civilly liable for detention, malicious prosecution, false imprisonment, or false arrest of the person detained or arrested, where such detention is in a reasonable manner for a reasonable length of time, if in detaining or in causing the arrest of such person, the merchant, or ~~his~~the merchant's agent or employee, or the peace officer had at the time of the detention or arrest probable cause to believe that the person committed the offense created by this section. If the person being detained by the merchant, or ~~his~~the merchant's agent or employee, is a ~~minor 16 years of age or younger,~~ minor under the age of 18 years, the merchant or ~~his~~the merchant's agent or employee, shall call or notify, or make a reasonable effort to call or notify the parent or guardian of the minor, during the period of detention. A merchant, or the merchant's agent or employee, who makes a reasonable effort to call or notify the parent or guardian of the minor shall not be held civilly liable for failing to notify the parent or guardian of the minor."

Sec. 2. This act becomes effective January 1, 1995, and applies to offenses occurring on or after that date.

In the General Assembly read three times and ratified this the 26th day of March, 1994.

Marc Basnight
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives