

has not been registered in accordance with subsection (a).

(c) Violation of any provision of subsection (b) shall constitute a misdemeanor, punishable upon conviction thereof by a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than one year or both. Any such device may be seized upon court order or under a warrant; and upon conviction of a violation of subsection (b), the device with respect to which such violation was committed shall be forfeited to the State of Maryland, the same to be delivered to the State Police.

(d) As used in this section, the terms "wiretapping and/or eavesdropping device" and "device" include every device, instrument, apparatus, or equipment, which is designed or especially redesigned to be adapted or actually adapted for the purpose of (1) secretly overhearing or reporting any part of the conversation or words spoken to or by any person in private conversation without the knowledge or consent, expressed or implied, of that person, (2) intercepting or obtaining or attempting to obtain the whole or any part of a telephonic or telegraphic communication without the knowledge and consent of the participants thereto. As used in the preceding subsections of this section "person" includes any firm, association, or corporation; provided, however, that nothing in this section shall be construed or applied to affect (1) a public law enforcement officer of this State in the duly authorized performance of his duties, or (2) an employee of a telephone or telegraph company, as defined in Article 78 of this Code, while in the regular course of his employment by such company and engaged in company business.]

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Any person or persons who shall willfully intercept or tap any telephonic or telegraphic communications in any manner other than pursuant to an order under the provisions of §§ 10-401 through 10-408 of the Courts Article of the Code, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than one thousand dollars (\$1,000.00) or to imprisonment for not more than ninety (90) days or to both such fine and imprisonment in the discretion of the court. Provided, however, that nothing in this section shall apply to the Federal Bureau of Investigation or to any other federal investigating agency; and provided further that nothing in this section shall apply to an employee or authorized agent of a telephone or telegraph company, while engaged in the official and authorized course of his employment.]

SECTION 2. AND BE IT FURTHER ENACTED, That Sections 10-401 through 10-408 of Article - Courts and Judicial