

ENCRYPTED AND THE CONDUCT IN VIOLATION OF THIS SUBTITLE IS NOT FOR A TORTIOUS OR ILLEGAL PURPOSE OR FOR PURPOSE OF DIRECT OR INDIRECT COMMERCIAL ADVANTAGE OR PRIVATE COMMERCIAL GAIN.

(2) (I) THE STATE IS ENTITLED TO APPROPRIATE INJUNCTIVE RELIEF IN AN ACTION UNDER THIS SUBSECTION IF THE VIOLATION IS THE PERSON'S FIRST OFFENSE UNDER SUBSECTION (E)(1) OF THIS SECTION AND THE PERSON HAS NOT BEEN FOUND LIABLE IN A PRIOR CIVIL ACTION UNDER § 10-410 OF THIS SUBTITLE.

(II) IN AN ACTION UNDER THIS SUBSECTION, IF THE VIOLATION IS A SECOND OR SUBSEQUENT OFFENSE UNDER SUBSECTION (E)(1) OF THIS SECTION OR IF THE PERSON HAS BEEN FOUND LIABLE IN A PRIOR CIVIL ACTION UNDER § 10-410 OF THIS SUBTITLE, THE PERSON IS SUBJECT TO A MANDATORY ~~§500-CIVIL-FINE~~ CIVIL FINE OF NOT LESS THAN \$500.

(3) THE COURT MAY USE ANY MEANS WITHIN ITS AUTHORITY TO ENFORCE AN INJUNCTION ISSUED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION, AND SHALL IMPOSE A CIVIL FINE OF NOT LESS THAN \$500 FOR EACH VIOLATION OF AN INJUNCTION ISSUED UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION.

10-403.

(a) Except as otherwise specifically provided in this subtitle, any person who manufactures, assembles, possesses, or sells any electronic, mechanical, or other device, knowing or having reason to know that the design of the device renders it primarily useful for the purpose of the surreptitious interception of wire [or], oral, OR ELECTRONIC communications, is guilty of a felony and is subject to imprisonment for not more than five years or a fine of not more than \$10,000, or both.

(b) It is lawful under this section for:

(1) A [communications common carrier] PROVIDER OF WIRE OR ELECTRONIC COMMUNICATION SERVICE or an officer, agent, or employee of, or a person under contract with, a [communications common carrier] SERVICE PROVIDER, in the normal course of the [communications common carrier's] business OF PROVIDING THAT WIRE OR ELECTRONIC COMMUNICATION SERVICE to manufacture, assemble, possess, or sell any electronic, mechanical, or other device knowing or having reason to know that the design of the device renders it primarily useful for the purpose of the surreptitious interception of wire [or], oral, OR ELECTRONIC communications.

(2) A person under contract with the United States, a state, a political subdivision of a state, or the District of Columbia, in the normal course of the activities of the United States, a state, a political subdivision thereof, or the District of Columbia, to manufacture, assemble, possess, or sell any electronic, mechanical, or other device knowing or having reason