

(1) THE OWNER OR TENANT OF A PROPERTY FOR THE ACTUAL VALUE OF ANY GOODS, SERVICES, OR INCOME LOST AS A RESULT OF THE EVACUATION OF THE PROPERTY OR DAMAGE SUSTAINED DUE TO THE PLACEMENT, DELIVERY, OR DETONATION OF A DESTRUCTIVE DEVICE.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE RIGHT OF A PERSON TO RESTITUTION UNDER § 807 OF THIS ARTICLE.

151A.

(A) A person is guilty of a ~~misdemeanor~~ FELONY if, knowing the statement or rumor to be false, he circulates or transmits to another or others, with intent that it be acted upon, a statement or rumor, written, printed, BY ANY ELECTRONIC MEANS, or by word of mouth, concerning the location or possible detonation of a [bomb or other explosive] DESTRUCTIVE DEVICE, AS DEFINED IN § 139A OF THIS ARTICLE. An offense under this section committed by the use of a telephone OR BY OTHER ELECTRONIC MEANS may be deemed to have been committed either at the place at which the telephone call or calls were made OR THE ELECTRONIC COMMUNICATION ORIGINATED or at the place at which the telephone call or calls OR ELECTRONIC COMMUNICATION were received.

(B) A person convicted of violating this section is subject to a fine not exceeding \$10,000 or to imprisonment [for] not exceeding [one year] 3 10 YEARS, or to both such fine and imprisonment in the discretion of the court. This section does not apply to any statement or rumor made or circulated by an officer, employee, or agent of a bona fide civilian defense organization or agency, if made in the regular course of his duties with that organization or agency.

(C) (1) IN ADDITION TO THE PENALTY PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON CONVICTED UNDER THIS SECTION MAY BE ORDERED BY THE COURT TO PAY RESTITUTION TO:

(I) THE STATE, COUNTY, MUNICIPAL CORPORATION, BICOUNTY AGENCY, OR SPECIAL TAXING DISTRICT FOR ACTUAL COSTS REASONABLY INCURRED DUE TO THE RESPONSE TO A LOCATION AND SEARCH FOR A DESTRUCTIVE DEVICE CAUSED BY THE FALSE STATEMENT OR RUMOR OF A DESTRUCTIVE DEVICE; AND

(II) THE OWNER OR TENANT OF A PROPERTY FOR THE ACTUAL VALUE OF ANY GOODS, SERVICES, OR INCOME LOST AS A RESULT OF THE EVACUATION OF THE PROPERTY IN RESPONSE TO THE FALSE STATEMENT OR RUMOR OF A DESTRUCTIVE DEVICE.

(2) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE RIGHT OF A PERSON TO RESTITUTION UNDER § 807 OF THIS ARTICLE.

~~COMMITTEE NOTE TO THE GENERAL ASSEMBLY: The Committee to Revise Article 27 felt that the penalties for both this section and § 151C should be the same as those for the more serious malicious destruction of property offense under § 111, which is a maximum penalty of 3 years and \$2,500. Therefore, in both this section and § 151C the maximum term of imprisonment is raised from 1 year to 3 years. The current maximum fine for this section is \$10,000. Rather than reduce this fine to \$2,500, the~~