

several property owners, may be considered as one offense and the value of damage to the various properties may be aggregated in determining the penalty.

(2) If separate acts resulting in damage to the properties of one or several owners are set forth by separate counts within the same or separate charging documents, the separate counts may not be merged for sentencing.

(e) (1) The value of damage is not a substantive element of an offense under this section and need not be set forth in the charging document.

(2) Notwithstanding paragraph (1) of this subsection, a determination of valuation of damage shall be made based on the evidence and applied for the purpose of imposing the penalties established in this section.

(3) If it cannot be determined from the evidence whether the value of the damage to the property is more or less than ~~[\$300]~~ \$500, its value shall be determined to be less than ~~[\$300]~~ \$500.

(f) (1) For the purposes of this section, an act of "graffiti" means a violation of this section by permanent drawing, permanent painting, or making of any permanent mark or inscription on the real or personal property of another without the permission of the owner of the real or personal property.

(2) In addition to the penalties provided in subsections (b) and (c) of this section, a person who violates this section by committing an act of graffiti shall be ordered to pay restitution or perform community service or both.

(3) Except as otherwise provided by this section, the provisions of § 807 of this article apply to an order of restitution under this section.

143.

(a) A person convicted of obtaining property or services by a bad check when the property or services has a value of ~~[\$300]~~ \$500 or greater is guilty of a felony and shall be fined not more than \$1,000, or be imprisoned for not more than 15 years, or be both fined and imprisoned in the discretion of the court.

(b) A person convicted of obtaining property or services by more than one bad check, each of which is issued for less than ~~[\$300]~~ \$500, and which are issued to the same person within a 30 day period, when the property or services has a cumulative value of ~~[\$300]~~ \$500 or greater is guilty of a felony and shall be fined not more than \$1,000, or be imprisoned for not more than 15 years, or be both fined and imprisoned in the discretion of the court.

(c) A person convicted of obtaining property or services by bad check when the property or services has a value of less than ~~[\$300]~~ \$500 is guilty of a misdemeanor and shall be fined not more than \$100, or be imprisoned for not more than 18 months, or be both fined and imprisoned in the discretion of the court.

(d) In addition to the penalties provided in this section for conviction of the offense of obtaining property or services by a bad check the court may: