

Article 27 - Crimes and Punishments

Section 557C through 557F and the subheading "Telecommunications Act"

Annotated Code of Maryland

(1996 Replacement Volume and 2000 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

FRAUD - TELECOMMUNICATION SERVICE PROVIDERS

194A.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ANY PERSON AGGRIEVED" MEANS ANY PERSON WHO HAS SUFFERED A SPECIFIC AND DIRECT INJURY TO A RIGHT PROTECTED BY THIS SECTION.

(3) "MANUFACTURE" OR "ASSEMBLE", WITH RESPECT TO AN UNLAWFUL ACCESS DEVICE, MEANS:

(I) TO MAKE, PRODUCE, OR ASSEMBLE AN UNLAWFUL ACCESS DEVICE;

(II) TO MODIFY, ALTER, PROGRAM, OR REPROGRAM AN INSTRUMENT, DEVICE, MACHINE, EQUIPMENT, TECHNOLOGY, OR SOFTWARE, SO THAT IT IS CAPABLE OF DEFEATING OR CIRCUMVENTING TECHNOLOGY, SOFTWARE, OR A DEVICE THAT IS USED BY THE PROVIDER, OWNER, OR LICENSEE OF A TELECOMMUNICATION SERVICE OR OF A DATA, AUDIO, OR VIDEO PROGRAM OR TRANSMISSION, TO PROTECT THE TELECOMMUNICATION, DATA, AUDIO, OR VIDEO SERVICE, PROGRAM, OR TRANSMISSION FROM UNAUTHORIZED RECEIPT, ACQUISITION, ACCESS, DESCRIPTION, DISCLOSURE, COMMUNICATION, TRANSMISSION, OR RETRANSMISSION; OR

(III) KNOWINGLY TO ASSIST OTHERS IN THOSE ACTIVITIES.

(4) "MANUFACTURE" OR "ASSEMBLE", WITH RESPECT TO AN UNLAWFUL TELECOMMUNICATION DEVICE OR ACCESS CODE, MEANS:

(I) TO MAKE, PRODUCE, OR ASSEMBLE AN UNLAWFUL TELECOMMUNICATION DEVICE OR ACCESS CODE;

(II) TO MODIFY, ALTER, PROGRAM, OR REPROGRAM A TELECOMMUNICATION DEVICE OR ACCESS CODE TO BE CAPABLE OF ACQUIRING, DISRUPTING, RECEIVING, TRANSMITTING, DECRYPTING, OR FACILITATING THE ACQUISITION, DISRUPTION, RECEIPT, TRANSMISSION, OR DECRYPTION OF A TELECOMMUNICATION SERVICE WITHOUT THE EXPRESS CONSENT OR EXPRESS AUTHORIZATION OF THE TELECOMMUNICATION SERVICE PROVIDER; OR