

ACQUISITION OF A TELECOMMUNICATION SERVICE WITHOUT THE EXPRESS CONSENT OR EXPRESS AUTHORIZATION OF THE TELECOMMUNICATION SERVICE PROVIDER; OR

~~(H) TO CONCEAL OR TO ASSIST ANOTHER TO CONCEAL FROM A TELECOMMUNICATION SERVICE PROVIDER, OR FROM A LAWFUL AUTHORITY, THE EXISTENCE, PLACE OF ORIGIN, OR DESTINATION OF A TELECOMMUNICATION;~~

(2) POSSESS, USE, MANUFACTURE, ASSEMBLE, DISTRIBUTE, TRANSFER, SELL, OFFER, PROMOTE, OR ADVERTISE FOR SALE, USE, OR DISTRIBUTION ANY UNLAWFUL ACCESS DEVICE; OR

(3) POSSESS, USE, PREPARE, DISTRIBUTE, SELL, GIVE, TRANSFER, OFFER, PROMOTE, OR ADVERTISE FOR SALE, USE, OR DISTRIBUTION:

~~(4) A PLAN OR INSTRUCTION FOR MAKING OR ASSEMBLING AN UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE OR AN UNLAWFUL ACCESS DEVICE UNDER CIRCUMSTANCES EVIDENCING AN INTENT TO USE OR EMPLOY THE UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE, OR TO ALLOW THE UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE TO BE USED FOR A PURPOSE PROHIBITED BY THIS SECTION, OR KNOWING OR HAVING REASON TO BELIEVE THAT THE UNLAWFUL TELECOMMUNICATION DEVICE IS INTENDED TO BE SO USED, OR THAT THE PLAN OR INSTRUCTION IS INTENDED TO BE USED FOR MANUFACTURING OR ASSEMBLING THE UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE; OR~~

~~(H) MATERIAL EQUIPMENT, INCLUDING HARDWARE, CABLES, TOOLS, DATA, COMPUTER SOFTWARE, OR OTHER INFORMATION OR EQUIPMENT, KNOWING COMPONENTS WITH THE KNOWLEDGE THAT THE PURCHASER OR A THIRD PERSON INTENDS TO USE THE MATERIAL THEM TO MANUFACTURE OR ASSEMBLE AN UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE OR ACCESS CODE FOR A PURPOSE PROHIBITED BY THIS SECTION.~~

(D) (1) EXCEPT AS PROVIDED IN ~~PARAGRAPHS (2) AND (3)~~ PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$2,500 OR BOTH.

(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A ~~FELONY MISDEMEANOR~~ FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING ~~5~~ (10) YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH IF:

~~(4) THE DEFENDANT HAS BEEN CONVICTED PREVIOUSLY UNDER THIS SECTION OR CONVICTED OF ANY SIMILAR CRIME IN THIS OR ANY FEDERAL OR OTHER STATE JURISDICTION; OR~~

~~(H) THE VIOLATION OF THIS SECTION INVOLVES AT LEAST 10, BUT NOT MORE THAN 50, MORE THAN 100 UNLAWFUL TELECOMMUNICATION OR DEVICES OR ACCESS CODES OR UNLAWFUL ACCESS DEVICES.~~

~~(3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 15 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH IF:~~