

ACCESS DEVICES IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

(B) VIOLATION INVOLVING 100 OR FEWER UNLAWFUL TELECOMMUNICATION DEVICES OR ACCESS CODES OR UNLAWFUL ACCESS DEVICES.

A PERSON WHO VIOLATES § 7-315 OF THIS PART INVOLVING 100 OR FEWER UNLAWFUL TELECOMMUNICATION DEVICES OR ACCESS CODES OR UNLAWFUL ACCESS DEVICES 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.

(C) RESTITUTION.

IN ADDITION TO ANY OTHER SENTENCE AUTHORIZED BY LAW, THE COURT MAY REQUIRE A PERSON CONVICTED OF VIOLATING THIS PART TO MAKE RESTITUTION IN ACCORDANCE WITH THE CRIMINAL PROCEDURE ARTICLE.

(D) FORFEITURE.

IN ADDITION TO ANY OTHER SENTENCE AUTHORIZED BY LAW, THE COURT MAY DIRECT THAT A PERSON CONVICTED OF A VIOLATION OF THIS PART FORFEIT TO THE STATE ANY UNLAWFUL TELECOMMUNICATION DEVICES OR ACCESS CODES OR UNLAWFUL ACCESS DEVICES IN THE PERSON'S POSSESSION OR CONTROL THAT WERE INVOLVED IN THE VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 194A(d).

In subsection (b) of this section, the reference to "telecommunication devices or access codes", a defined term, is substituted for the former reference to "telecommunication access devices" for clarity and consistency.

Subsection (d) of this section is redrafted for consistency and style.

Defined terms: "Person" § 1-101

"Unlawful access device" § 7-313

"Unlawful telecommunication device or access code" § 7-313

7-317. LOCATION OF VIOLATION.

(A) IN GENERAL.

A VIOLATION OF § 7-315 OF THIS PART MAY BE CONSIDERED TO HAVE BEEN COMMITTED AT EITHER:

(1) THE PLACE WHERE THE DEFENDANT MANUFACTURED THE UNLAWFUL TELECOMMUNICATION DEVICE OR ACCESS CODE OR UNLAWFUL ACCESS DEVICE; OR