

(2) A person who obtains property or services by issuing a check in violation of § 8-103 of this subtitle may be prosecuted immediately under this article, if the person issuing the check:

(i) is the drawer; and

(ii) did not have an account with the drawee when the check was issued.

(C) UNLESS SPECIFICALLY CHARGED BY THE STATE, OBTAINING PROPERTY OR SERVICES WITH A VALUE OF LESS THAN \$100 BY ISSUING OR PASSING A CHECK IN VIOLATION OF § 8-103 OF THIS SUBTITLE, AS PROVIDED IN § 8-106(D) OF THIS SUBTITLE, MAY NOT BE CONSIDERED A LESSER INCLUDED CRIME OF ANY OTHER CRIME.

8-106.

(a) A person who obtains property or services with a value of \$500 or more by issuing or passing a check in violation of § 8-103 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 15 years or a fine not exceeding \$1,000 or both.

(b) A person who obtains property or services by issuing or passing more than one check in violation of § 8-103 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 15 years or a fine not exceeding \$1,000 or both if:

(1) each check that is issued is for less than \$500 and is issued to the same person within a 30-day period; and

(2) the cumulative value of the property or services is \$500 or more.

(c) [A] EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (D) OF THIS SECTION, A person who obtains property or services with a value of less than \$500 by issuing or passing a check in violation of § 8-103 of this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 18 months or a fine not exceeding \$100 or both.

(D) (1) A PERSON WHO OBTAINS PROPERTY OR SERVICES WITH A VALUE OF LESS THAN \$100 BY ISSUING OR PASSING A CHECK IN VIOLATION OF § 8-103 OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH.

(2) IT IS NOT A DEFENSE TO THE CRIME OF OBTAINING PROPERTY OR SERVICES WITH A VALUE OF LESS THAN \$100 BY ISSUING OR PASSING A CHECK IN VIOLATION OF § 8-103 OF THIS SUBTITLE THAT THE VALUE OF THE PROPERTY OR SERVICES AT ISSUE IS \$100 OR MORE.

8-206.

(a) A person may not for the purpose of obtaining money, goods, services, or anything of value, and with the intent to defraud another, use: