

## (5) MODIFY OR ALTER:

(I) A DEVICE INSTALLED WITH THE AUTHORIZATION OF A CABLE TELEVISION COMPANY IN ORDER TO INTERCEPT OR RECEIVE A PROGRAM OR SERVICE CARRIED BY THE COMPANY; OR

(II) EQUIPMENT CAPABLE OF DECODING ENCRYPTED SATELLITE CABLE PROGRAMMING IN ORDER TO INTERCEPT OR RECEIVE SATELLITE CABLE PROGRAMMING; OR

(6) SELL, RENT, LEND, PROMOTE, OFFER, OR ADVERTISE OR OFFER FOR SALE OR RENT TO ANY PERSON A DEVICE OR PLAN FOR A DEVICE WITH THE KNOWLEDGE THAT THE PERSON INTENDS TO USE THE DEVICE OR PLAN TO DO AN ACT PROHIBITED BY THE PROVISIONS OF THIS SECTION.

[(b)](C) (1) If a person DESTROYS, DAMAGES, CUTS, tampers with, installs, taps, removes, displaces, or makes any connection with any wire, conduit, apparatus, or other equipment of a franchised cable television company or private cable television company, it shall be prima facie evidence of an intent to [obtain] RECEIVE cable television services without payment.

(2) ACTUAL POSSESSION OF A DEVICE, OR POSSESSION AND CONTROL OF A QUANTITY OF A DEVICE DEVICES THAT INDICATES POSSESSION FOR RESALE, IS PRIMA FACIE EVIDENCE OF AN INTENT TO VIOLATE THE PROVISIONS OF THIS SECTION IF THE DEVICE IS DESIGNED, ~~IN WHOLE OR IN PART~~, TO FACILITATE AN ACT PROHIBITED BY THE PROVISIONS OF THIS SECTION.

[(c)](D) (1) [Any] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding [\$500] \$1,000, or imprisonment not exceeding 6 months, or both.

(2) A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,500 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

(3) A PERSON WHO COMMITS AN ACT PROHIBITED BY THE PROVISIONS OF THIS SECTION FOR PAYMENT OR OFFER OF PAYMENT IS GUILTY OF A ~~FELONY~~ MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.

(E) IN ADDITION TO THE PROVISIONS OF SUBSECTION (D) OF THIS SECTION, A PERSON WHO ~~ASSISTS ANOTHER PERSON TO VIOLATE~~ VIOLATES THE PROVISIONS OF SUBSECTION (B)(3) OR (6) OF THIS SECTION SHALL BE LIABLE CIVILLY TO THE AGGRIEVED CABLE TELEVISION COMPANY FOR THE GREATER OF THE FOLLOWING AMOUNTS:

(+) \$1,000; OR