8–710.

(a)   Except for a violation of § 8–707 of this subtitle, a person who violates any provision of this subtitle is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $5,000 or imprisonment not exceeding 1 year or both.

(b)   A person who violates any provision of § 8–707 of this subtitle is guilty of a misdemeanor and on conviction is subject:

(1)   For a first offense, to a fine not exceeding $100; and

(2)   For any subsequent violation of the same provision, to a fine not exceeding $500 or imprisonment not exceeding 6 months or both.

(C)   (1)   SUBJECT TO THE APPROPRIATE HEARING AND APPEALS PROVISIONS, THE APPROPRIATE HEALTH OCCUPATIONS BOARD, ON THE AFFIRMATIVE VOTE OF THE MAJORITY OF ITS MEMBERS, MAY REPRIMAND A LICENSEE OR CERTIFICATE HOLDER, PLACE A LICENSEE OR CERTIFICATE HOLDER ON PROBATION, OR SUSPEND OR REVOKE A LICENSE OR CERTIFICATE OF A PERSON WHO VIOLATES ANY PROVISION OF § 8–701 OF THIS SUBTITLE.

(2)   A PERSON WHO IS LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED TO PROVIDE HEALTH CARE SERVICES UNDER THIS ARTICLE IS NOT SUBJECT TO THE PENALTY PROVIDED IN SUBSECTIONS (A) AND (B) OF THIS SECTION FOR A VIOLATION OF § 8–701(C) AND (D) OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved May 12, 1998.

CHAPTER 493

(House Bill 607)

AN ACT concerning

~~Telemarketing Fraud~~ Criminal Procedure – Telephone Solicitation Theft – Wire and Electronic Surveillance

FOR the purpose of creating an exception to the prohibition against willfully intercepting a wire or electronic communication for a person who intercepts a wire or electronic communication in the course of a ~~governmental~~ law enforcement investigation of possible ~~telemarketing fraud~~ telephone solicitation theft under certain circumstances; defining a certain term; and generally relating to wire and electronic surveillance and ~~telemarketing fraud~~ telephone solicitation theft.

BY adding to
Article – Courts and Judicial Proceedings