

Section 10-401(18) and 10-402(c)(9)  
 Annotated Code of Maryland  
 (1995 Replacement Volume and 1997 Supplement)

BY repealing and reenacting, without amendments,  
 Article - Courts and Judicial Proceedings  
 Section 10-402(a) and (b)  
 Annotated Code of Maryland  
 (1995 Replacement Volume and 1997 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Courts and Judicial Proceedings**

10-401.

As used in this subtitle, the following terms have the meanings indicated:

~~(18) "TELEMARKETING FRAUD" MEANS A FRAUDULENT PRACTICE ENGAGED IN AS A PART OF A PATTERN OF USING ONE OR MORE TELEPHONES FOR THE PURPOSE OF ASKING A PERSON:~~

~~(i) TO PAY MONEY AS A CONDITION TO THAT PERSON RECEIVING OR POSSIBLY RECEIVING A PRODUCT, SERVICE, DISCOUNT, OR PRIZE; OR~~

~~(ii) TO CONTRIBUTE MONEY FOR A CHARITABLE OR BENEVOLENT PURPOSE.~~

(18) "TELEPHONE SOLICITATION THEFT" MEANS CONDUCT OF A PERSON THAT:

(i) CONSTITUTES THE OFFENSE OF THEFT OR ATTEMPTED THEFT BY; AND

(ii) INVOLVES THE USE OF A TELEPHONE TO SOLICIT THE PAYMENT OF MONEY.

10-402.

(a) Except as otherwise specifically provided in this subtitle it is unlawful for any person to:

(1) Wilfully intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(2) Wilfully disclose, or endeavor to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle; or