

(3) Wilfully use, or endeavor to use, 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.

(b) Any person who violates subsection (a) of this section is guilty of a felony and is subject to imprisonment for not more than 5 years or a fine of not more than \$10,000, or both.

(c) (9) IT IS LAWFUL UNDER THIS SUBTITLE FOR A PERSON TO INTERCEPT A WIRE OR ELECTRONIC COMMUNICATION IN THE COURSE OF A GOVERNMENTAL LAW ENFORCEMENT INVESTIGATION OF POSSIBLE ~~TELEMARKETING FRAUD~~ TELEPHONE SOLICITATION THEFT IF:

(I) THE PERSON IS A ~~GOVERNMENT INVESTIGATOR~~ AN INVESTIGATIVE OR LAW ENFORCEMENT OFFICER OR IS ACTING UNDER THE DIRECTION OF A ~~GOVERNMENT INVESTIGATOR~~ AN INVESTIGATIVE OR LAW ENFORCEMENT OFFICER; AND

(II) THE PERSON IS A PARTY TO THE COMMUNICATION AND PARTICIPATES IN THE COMMUNICATION THROUGH THE USE OF A TELEPHONE INSTRUMENT.

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

Approved May 12, 1998.

CHAPTER 494

(House Bill 622)

AN ACT concerning

Local Law Enforcement Officers - Participation in State System

FOR the purpose of authorizing law enforcement officers of counties and municipal corporations in the State to participate in the Law Enforcement Officers' Pension System on or after a certain date under certain conditions; providing for the procedures for electing to participate; providing for the procedures for withdrawal from the system; providing for the funding of the participation in the system; requiring the transfer of certain funds to the accumulation fund of the system; defining certain terms; and generally relating to the election for law enforcement officers of counties and municipal corporations to participate in the Law Enforcement Officers' Pension System.

BY adding to

Article - State Personnel and Pensions

Section 21-306.1; and 31-2A-01 through 31-2A-05, inclusive, to be under the