

of any provision of this section, the instrument, apparatus, equipment, device, or plans or instructions shall be destroyed as contraband by the court in which the person is convicted.]

[557D.

(a) In this section the following words have the meanings indicated.

(1) "Clone" means to convert a wireless telephone with the electronic serial number and the wireless telephone number which have been obtained from a registered wireless telephone without the consent of the telecommunication service provider.

(2) "Reader" means an electronic serial number recording device which is capable of, or has been altered, modified, programmed, or re-programmed so as to be capable of acquiring or facilitating the acquisition of a telecommunication service without the consent of the telecommunication service provider.

(3) "Manufacture" means to produce or assemble, modify, alter, program, or re-program any wireless telephone or reader without the consent of the telecommunication service provider.

(4) "Registered wireless telephone" means a wireless telephone registered with a telecommunication service provider for a fee as set by the telecommunication service provider.

(5) "Sell" means to sell, exchange, give, or dispose of, to another, or to offer or agree to do the same.

(6) "Telecommunication service" includes any service provided for a charge or compensation to facilitate the origination, transmission, emission, or reception of signs, signals, writings, images and sounds or intelligence of any nature by telephone, including wireless telephones.

(7) "Telecommunication service provider" means a person or entity providing telecommunication service including, but not limited to, a wireless telephone company which, for a fee, supplies the facility, cell site, wireless telephone switching office, or other equipment or telecommunication service.

(8) "Wireless telephone" means any equipment or instrument that transmits:

(i) Cellular telephone service;

(ii) Personal communication service; or

(iii) Any other commercial mobile radio service as defined by the Federal Communications Commission.

(b) (1) A person may not knowingly possess or use a cloned wireless telephone.

(2) A person may not knowingly possess a reader.