

(3) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to a fine of not more than \$2,500 or imprisonment for not more than 3 years or both.

(c) (1) A person may not knowingly possess with intent to distribute, distribute, manufacture, or sell a cloned wireless telephone.

(2) A person may not knowingly use, possess with intent to distribute, distribute, manufacture, or sell a reader.

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

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 557B and 557C, respectively, of Article 27 - Crimes and Punishments of the Annotated Code of Maryland be renumbered to be Section(s) 557A and 557B, respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

TELECOMMUNICATIONS ACT

557C.

(A) IN THIS SUBHEADING THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(B) "AGGREGATE AMOUNT" MEANS ANY DIRECT OR INDIRECT LOSS INCURRED BY A VICTIM, INCLUDING THE VALUE OF ANY MONEY, PROPERTY, OR SERVICE LOST, STOLEN, OR RENDERED UNRECOVERABLE BY THE OFFENSE, OR ANY ACTUAL EXPENDITURE INCURRED BY THE VICTIM TO VERIFY THAT TELECOMMUNICATIONS, TELECOMMUNICATIONS SERVICE, A TELECOMMUNICATIONS DEVICE, A TELECOMMUNICATIONS ACCESS DEVICE, A COUNTERFEIT TELECOMMUNICATIONS DEVICE, OR A COUNTERFEIT TELECOMMUNICATIONS ACCESS DEVICE WAS NOT ALTERED, ACQUIRED, DAMAGED, DELETED, DISRUPTED, OR DESTROYED BY THE ACCESS.~~

~~(C) (B) (4) "COUNTERFEIT TELECOMMUNICATIONS DEVICE" MEANS A TELECOMMUNICATIONS DEVICE, EITHER ALONE OR WITH ANOTHER TELECOMMUNICATIONS DEVICE, THAT HAS BEEN ALTERED OR PROGRAMMED TO ACQUIRE, INTERCEPT, RECEIVE, OR OTHERWISE FACILITATE THE USE OF A TELECOMMUNICATIONS SERVICE WITHOUT THE AUTHORITY OR CONSENT OF THE TELECOMMUNICATIONS SERVICE PROVIDER.~~

~~(2) "COUNTERFEIT TELECOMMUNICATIONS DEVICE" INCLUDES A CLONE TELEPHONE, CLONE MICROCHIP, TUMBLER TELEPHONE, TUMBLER MICROCHIP, OR WIRELESS SCANNING DEVICE CAPABLE OF ACQUIRING, INTERCEPTING, RECEIVING, OR OTHERWISE FACILITATING THE USE OF A TELECOMMUNICATIONS SERVICE WITHOUT IMMEDIATE DETECTION.~~