

(II) EQUIPMENT CAPABLE OF DECODING ENCRYPTED SATELLITE CABLE PROGRAMMING TO INTERCEPT OR RECEIVE SATELLITE CABLE PROGRAMMING; OR

(6) SELL, RENT, OR OFFER FOR SALE OR RENT TO ANY PERSON A DEVICE OR PLAN FOR A DEVICE WITH THE KNOWLEDGE THAT THE PERSON INTENDS TO USE THE DEVICE OR PLAN TO DO AN ACT PROHIBITED BY THIS SECTION.

(C) PRIMA FACIE EVIDENCE OF INTENT.

(1) THE DESTROYING OF, DAMAGING, CUTTING, TAMPERING WITH, INSTALLING, TAPPING, REMOVING, DISPLACING, OR MAKING A CONNECTION WITH A WIRE, CONDUIT, APPARATUS, OR OTHER EQUIPMENT OF A FRANCHISED CABLE TELEVISION COMPANY OR PRIVATE CABLE TELEVISION COMPANY IS PRIMA FACIE EVIDENCE OF AN INTENT TO RECEIVE CABLE TELEVISION SERVICES WITHOUT PAYMENT.

(2) ACTUAL POSSESSION OF A DEVICE, OR POSSESSION AND CONTROL OF A QUANTITY OF DEVICES THAT INDICATES POSSESSION FOR RESALE IS PRIMA FACIE EVIDENCE OF AN INTENT TO VIOLATE THIS SECTION IF THE DEVICE IS DESIGNED TO FACILITATE AN ACT PROHIBITED BY THIS SECTION.

(D) CRIMINAL PENALTIES.

(1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.

(2) A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,500 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

(3) A PERSON WHO COMMITS AN ACT PROHIBITED BY THIS SECTION FOR PAYMENT OR OFFER OF PAYMENT IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.

(E) CIVIL PENALTIES.

IN ADDITION TO SUBSECTION (D) OF THIS SECTION, A PERSON WHO VIOLATES SUBSECTION (B)(3) OR (6) OF THIS SECTION IS LIABLE CIVILLY TO THE AGGRIEVED CABLE TELEVISION COMPANY FOR ALL APPROPRIATE CIVIL DAMAGES AWARDED BY A COURT.

(F) INJUNCTION.

A CABLE TELEVISION COMPANY MAY BRING AN ACTION TO ENJOIN AND RESTRAIN A VIOLATION OF THIS SECTION.

(G) SEIZURE AND FORFEITURE.