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§7–101.

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

(b) (1) "Deception" means knowingly to:

(i) create or confirm in another a false impression that the offender does not believe to be true;

(ii) fail to correct a false impression that the offender previously has created or confirmed;

(iii) prevent another from acquiring information pertinent to the disposition of the property involved;

(iv) sell or otherwise transfer or encumber property without disclosing a lien, adverse claim, or other legal impediment to the enjoyment of the property, regardless of whether the impediment is of value or a matter of official record;

(v) insert or deposit a slug in a vending machine;

(vi) remove or alter a label or price tag;

(vii) promise performance that the offender does not intend to perform or knows will not be performed; or

(viii) misrepresent the value of a motor vehicle offered for sale by tampering or interfering with its odometer, or by disconnecting, resetting, or altering its odometer with the intent to change the mileage indicated.

(2) "Deception" does not include puffing or false statements of immaterial facts and exaggerated representations that are unlikely to deceive an ordinary individual.

(c) "Deprive" means to withhold property of another:

(1) permanently;

(2) for a period that results in the appropriation of a part of the property's value;

(3) with the purpose to restore it only on payment of a reward or other compensation; or

(4) to dispose of the property or use or deal with the property in a manner that makes it unlikely that the owner will recover it.

(d) (1) "Exert control" includes to take, carry away, appropriate to a person's own use or sell, convey, or transfer title to an interest in or possession of property.

(2) "Exert control" does not include:

(i) to trespass on the land of another; or

(ii) to occupy the land of another without authorization.

(e) (1) "Interactive computer service" means an information service, system, or access software provider that provides or enables computer access by multiple users to a computer server.

(2) "Interactive computer service" includes a service or system that provides access to the Internet.

(f) "Motor vehicle" has the meaning stated in § 11-135 of the Transportation Article.

(g) "Obtain" means:

(1) in relation to property, to bring about a transfer of interest in or possession of the property; and

(2) in relation to a service, to secure the performance of the service.

(h) Except as otherwise expressly provided in this part, "owner" means a person, other than the offender:

(1) who has an interest in or possession of property regardless of whether the person's interest or possession is unlawful; and

(2) without whose consent the offender has no authority to exert control over the property.

(i) (1) "Property" means anything of value.

(2) "Property" includes:

(i) real estate;

(ii) money;

(iii) a commercial instrument;

(iv) an admission or transportation ticket;

(v) a written instrument representing or embodying rights concerning anything of value, or services, or anything otherwise of value to the owner;

(vi) a thing growing on or affixed to, or found on land, or part of or affixed to any building;

(vii) electricity, gas, and water;

(viii) a bird, animal, or fish that ordinarily is kept in a state of confinement;

(ix) food or drink;

(x) a sample, culture, microorganism, or specimen;

(xi) a record, recording, document, blueprint, drawing, map, or a whole or partial copy, description, photograph, prototype, or model of any of them;

(xii) an article, material, device, substance, or a whole or partial copy, description, photograph, prototype, or model of any of them that represents evidence of, reflects, or records a secret:

1. scientific, technical, merchandising, production, or management information; or

2. designed process, procedure, formula, invention, trade secret, or improvement;

(xiii) a financial instrument; and

(xiv) information, electronically produced data, and a computer software or program in a form readable by machine or individual.

(j) "Property of another" means property in which a person other than the offender has an interest that the offender does not have the authority to defeat or impair, even though the offender also may have an interest in the property.

(k) "Service" includes:

(1) labor or professional service;

(2) telecommunication, public utility, toll facility, or transportation service;

(3) lodging, entertainment, or restaurant service; and

(4) the use of computers, data processing, or other equipment.

(l) "Slug" means an object that, because of its size, shape, or other quality,

can be deposited or inserted in a vending machine as an improper substitute for the payment required to operate the vending machine.

(m) (1) "Theft" means the conduct described in §§ 7-104 through 7-107 of this subtitle.

(2) "Theft" includes motor vehicle theft, unless otherwise indicated.

(n) "Vending machine" means a device designed to receive a specified payment and in exchange automatically offer, provide, assist in providing, or allow a person to acquire property or service.

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