

Article - Criminal Law

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§7-303.

(a) (1) In this section the following words have the meanings indicated.

(2) “Cable television company” means a franchised or private cable television company.

(3) “Cable television service” means:

(i) cable and satellite cable programming;

(ii) service provided by or through the facility of a cable television system or a closed circuit coaxial cable communication system; or

(iii) a microwave, satellite, or similar transmission service used with a cable television system or a closed circuit coaxial cable communication system.

(b) (1) Destroying, damaging, cutting, tampering with, installing, tapping, removing, displacing, or connecting with a wire, conduit, apparatus, or other equipment of a cable television company is prima facie evidence of an intent to receive cable television services without payment.

(2) Actual possession of a device designed to facilitate an act prohibited by this section, or possession and control of a quantity of those devices indicating possession for resale, is prima facie evidence of an intent to violate this section.

(c) A person may not:

(1) destroy, damage, cut, tamper with, install, tap, remove, displace, or connect with a wire, conduit, apparatus, or other equipment of a cable television company with the intent to receive cable television services without payment;

(2) prevent, obstruct, or delay the sending, conveyance, distribution, or receiving of programming material transmitted by a cable television company;

(3) with the intent to deprive a person of lawful compensation, receive, attempt to receive, or assist another to receive:

(i) cable television service by trick, use of a decoder, or other fraudulent means; or

(ii) satellite cable programming that is:

1. offered for sale in the person’s area through an unauthorized marketing system; or

2. received by decoding encrypted satellite cable programming;

(4) without authority from the cable television company, connect with a cable, wire, component, or other device used to distribute cable television service;

(5) alter:

(i) a device installed with the authorization of a cable television company to intercept or receive a program or service carried by the company; or

(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 a device or a plan for a device knowing that the recipient intends to use the device or to plan to do an act prohibited by this section.

(d) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both; or

(ii) for each subsequent violation, imprisonment not exceeding 1 year or a fine not exceeding \$2,500 or both.

(2) 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 imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

(e) A cable television company may bring an action to enjoin a violation of this section.

(f) In addition to the penalties under subsection (d) of this section, a person who violates subsection (c)(3) or (6) of this section is liable to the aggrieved cable television company for all appropriate civil damages awarded by a court.

(g) A device used to violate this section is subject to seizure by and forfeiture to the State.

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