

# HOUSE BILL 1806

C7, E1

8lr4037  
CF SB 1254

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By: **Delegate Sanchez**

Introduced and read first time: March 5, 2018

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Crimes Related to Licensed Gaming – Penalties**

3 FOR the purpose of prohibiting a person from cheating at a certain game; prohibiting a  
4 person from altering or misrepresenting the outcome of a certain game under certain  
5 circumstances; prohibiting a person from placing, increasing, or decreasing a bet or  
6 determining the course of certain play after acquiring certain knowledge; prohibiting  
7 a person from claiming, collecting, or taking or attempting to claim, collect, or take  
8 money or anything of value in or from a certain game, with intent to defraud, under  
9 certain circumstances; prohibiting a person from placing or increasing a certain bet  
10 after acquiring certain knowledge; prohibiting a person from reducing the amount  
11 wagered or cancelling a certain bet after acquiring certain knowledge; prohibiting a  
12 person from manipulating or using artifice on a certain device in a certain manner,  
13 with the intent to cheat; prohibiting a person from facilitating the manipulation of a  
14 certain component of a gaming device in a certain manner with a certain intent;  
15 prohibiting a person from offering, promising, or giving anything of value to another  
16 person for the purpose of influencing the outcome of a certain race, sporting event,  
17 contest, or game or to place, increase, or decrease a certain wager after acquiring  
18 certain knowledge; prohibiting a person from changing or altering the normal  
19 outcome of a certain game, with a certain intent, on a video lottery terminal, table  
20 game, interactive gaming system, or mobile gaming system or change the way a  
21 certain outcome is reported to a participant in the game; prohibiting a person from  
22 using, possessing with the intent to use, or assisting another person in using or  
23 possessing with the intent to use a certain device, software, or hardware for certain  
24 purposes; prohibiting a person from possessing, using, selling, or manufacturing  
25 certain counterfeit wagering instruments; prohibiting a person from possessing,  
26 using, selling, or manufacturing a certain counterfeit item used for certain purposes;  
27 prohibiting a person from using certain wagering instruments in playing or using a  
28 certain game, equipment, or system; prohibiting a certain person from having on the  
29 person's person or in the person's possession a device intended to violate certain  
30 provisions of law, a certain key or device designed for a certain purpose, or certain  
31 paraphernalia; prohibiting a person from manufacturing, selling, or distributing a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 card, chip, die, game, or device that is intended for a certain purpose; prohibiting a  
2 person from marking, altering, or otherwise modifying a gaming device or certain  
3 equipment in a certain manner; prohibiting a person from instructing another in  
4 cheating a certain game or in the use of a certain device with a certain knowledge or  
5 intent; providing penalties for a violation of this Act; providing for the determination  
6 of the value of certain property or services; providing that a certain course of conduct  
7 may be considered as one crime and the value of certain property or services may be  
8 aggregated for certain purposes; providing for the application of this Act; making the  
9 provisions of this Act severable; defining certain terms; and generally relating to  
10 gaming.

11 BY adding to  
12 Article – Criminal Law  
13 Section 12–401 through 12–406 to be under the new subtitle “Subtitle 4. Crimes  
14 Related to Licensed Gaming”  
15 Annotated Code of Maryland  
16 (2012 Replacement Volume and 2017 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
18 That the Laws of Maryland read as follows:

19 **Article – Criminal Law**

20 **SUBTITLE 4. CRIMES RELATED TO LICENSED GAMING.**

21 **12–401.**

22 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
23 INDICATED.

24 (B) “ASSOCIATED EQUIPMENT” HAS THE MEANING STATED IN § 9–1A–01 OF  
25 THE STATE GOVERNMENT ARTICLE.

26 (C) “CHEAT” OR “CHEATING” MEANS TO ACT ALONE OR CONSPIRE WITH  
27 ANOTHER PERSON TO ALTER THE ELEMENTS OF CHANCE, METHOD OF SELECTION,  
28 OR CRITERIA THAT DETERMINE:

29 (1) THE RESULT OF A GAME;

30 (2) THE AMOUNT OR FREQUENCY OF PAYMENT IN A GAME;

31 (3) THE VALUE OF A WAGERING INSTRUMENT; OR

32 (4) THE VALUE OF A WAGERING CREDIT.

1 (D) "GAME" OR "GAMING" MEANS A TABLE GAME, VIDEO LOTTERY  
2 TERMINAL, OR OTHER GAMING ACTIVITY LICENSED OR REGULATED UNDER TITLE 9,  
3 SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

4 (E) "GAMING DEVICE" HAS THE MEANING STATED IN § 12-101 OF THIS  
5 TITLE.

6 (F) "GAMING INSTRUMENT" INCLUDES:

7 (1) CASINO CHIPS OR CHEQUES;

8 (2) POKER CHIPS;

9 (3) PROMOTIONAL CHIPS;

10 (4) RACE AND SPORTSBOOK CHIPS;

11 (5) TEMPORARY VALUE CHIPS USED IN THE GAME OF ROULETTE; AND

12 (6) VIDEO LOTTERY TERMINAL VOUCHERS OR  
13 TICKET-IN-TICKET-OUT (TITO) VOUCHERS.

14 (G) "LICENSED GAMING ESTABLISHMENT" MEANS A FACILITY LICENSED OR  
15 REGULATED UNDER TITLE 9, SUBTITLE 1A OF THE STATE GOVERNMENT ARTICLE.

16 (H) "LICENSEE" HAS THE MEANING STATED IN § 9-1A-01 OF THE STATE  
17 GOVERNMENT ARTICLE.

18 (I) "MANUFACTURER" HAS THE MEANING STATED IN § 9-1A-01 OF THE  
19 STATE GOVERNMENT ARTICLE.

20 12-402.

21 (A) A PERSON MAY NOT CHEAT AT A GAME.

22 (B) A PERSON MAY NOT:

23 (1) ALTER OR MISREPRESENT THE OUTCOME OF A GAME ON WHICH  
24 WAGERS HAVE BEEN MADE AFTER THE OUTCOME IS ESTABLISHED BUT BEFORE THE  
25 OUTCOME IS REVEALED TO THE PLAYERS OF THE GAME;

26 (2) PLACE, INCREASE, OR DECREASE A BET OR DETERMINE THE  
27 COURSE OF PLAY AFTER ACQUIRING KNOWLEDGE, NOT AVAILABLE TO ALL PLAYERS,

1 OF THE OUTCOME OF THE GAME THAT AFFECTS THE OUTCOME OF THE GAME OR AN  
2 EVENT THAT IS THE SUBJECT OF A BET OR AID ANOTHER PERSON IN ACQUIRING THE  
3 KNOWLEDGE FOR THE PURPOSE OF PLACING, INCREASING, OR DECREASING A BET  
4 OR DETERMINING THE COURSE OF PLAY CONTINGENT ON THAT EVENT OR  
5 OUTCOME, INCLUDING:

6 (I) BET CAPPING;

7 (II) PAST POSTING;

8 (III) BET PINCHING;

9 (IV) BET SWITCHING;

10 (V) USING A SHINER, A CAMERA, OR ANOTHER DEVICE TO GAIN  
11 HOLE CARD KNOWLEDGE; OR

12 (VI) GAINING ILLEGITIMATE TOP CARD KNOWLEDGE THROUGH  
13 COLLUSION;

14 (3) CLAIM, COLLECT, OR TAKE, OR ATTEMPT TO CLAIM, COLLECT, OR  
15 TAKE MONEY OR ANYTHING OF VALUE IN OR FROM A GAME, WITH INTENT TO  
16 DEFRAUD, WITHOUT HAVING MADE A WAGER CONTINGENT ON THE GAME, OR TO  
17 CLAIM, COLLECT, OR TAKE AN AMOUNT GREATER THAN THE AMOUNT WON,  
18 INCLUDING:

19 (I) MAKING A FALSE CLAIM OR A LATE BET; OR

20 (II) REMOVING A CREDIT FROM A SLOT MACHINE;

21 (4) PLACE OR INCREASE A BET AFTER ACQUIRING KNOWLEDGE OF  
22 THE OUTCOME OR POTENTIAL OUTCOME OF A GAME OR OTHER EVENT THAT IS THE  
23 SUBJECT OF THE BET, INCLUDING:

24 (I) PAST POSTING;

25 (II) BET SWITCHING; OR

26 (III) CAPPING A BET;

27 (5) REDUCE THE AMOUNT WAGERED OR CANCEL A BET AFTER  
28 ACQUIRING KNOWLEDGE OF THE OUTCOME OR POTENTIAL OUTCOME OF A GAME OR  
29 OTHER EVENT THAT IS THE SUBJECT OF THE BET, INCLUDING:

1 (I) PINCHING A BET; OR

2 (II) BET SWITCHING;

3 (6) MANIPULATE OR USE ARTIFICE ON, WITH THE INTENT TO CHEAT,  
4 A COMPONENT OF A GAMING DEVICE IN A MANNER CONTRARY TO THE DESIGNED  
5 AND NORMAL OPERATIONAL PURPOSE OF THE COMPONENT WITH KNOWLEDGE  
6 THAT THE MANIPULATION OR ARTIFICE WILL AFFECT THE OUTCOME OF THE GAME,  
7 INCLUDING:

8 (I) CARD MARKING;

9 (II) CARD BENDING; OR

10 (III) USING A GAFFED ROULETTE BALL OR GAFFED DICE;

11 (7) FACILITATE THE MANIPULATION, WITH THE INTENT TO CHANGE  
12 THE ELEMENT OF CHANCE, OF A COMPONENT OF A GAMING DEVICE IN A MANNER  
13 CONTRARY TO THE DESIGNED AND NORMAL OPERATIONAL PURPOSE FOR THE  
14 COMPONENT WITH KNOWLEDGE THAT THE MANIPULATION WILL AFFECT THE  
15 OUTCOME OF A GAME, INCLUDING:

16 (I) CARD SORTING;

17 (II) DICE SLIDING; OR

18 (III) INTENTIONALLY ALTERING THE BALANCE OF A ROULETTE  
19 WHEEL;

20 (8) OFFER, PROMISE, OR GIVE ANYTHING OF VALUE TO ANOTHER  
21 PERSON FOR THE PURPOSE OF INFLUENCING THE OUTCOME OF A RACE, SPORTING  
22 EVENT, CONTEST, OR GAME ON WHICH A WAGER MAY BE MADE, OR PLACE,  
23 INCREASE, OR DECREASE A WAGER AFTER ACQUIRING KNOWLEDGE THAT IS NOT  
24 AVAILABLE TO THE GENERAL PUBLIC THAT A PERSON HAS BEEN OFFERED,  
25 PROMISED, OR GIVEN ANYTHING OF VALUE FOR THE PURPOSE OF INFLUENCING THE  
26 OUTCOME OF THE RACE, SPORTING EVENT, CONTEST, OR GAME ON WHICH THE  
27 WAGER IS PLACED, INCREASED, OR DECREASED; OR

28 (9) CHANGE OR ALTER THE NORMAL OUTCOME OF A GAME, WITH  
29 INTENT TO EXPLOIT A CONDITION UNINTENDED BY THE MANUFACTURER, ON A  
30 VIDEO LOTTERY TERMINAL, A TABLE GAME, OR ANY ASSOCIATED EQUIPMENT, OR  
31 CHANGE OR ALTER THE WAY IN WHICH THE OUTCOME IS REPORTED TO A

1 PARTICIPANT IN THE GAME.

2 12-403.

3 A PERSON MAY NOT USE, POSSESS WITH THE INTENT TO USE, OR ASSIST  
4 ANOTHER PERSON IN USING OR POSSESSING WITH THE INTENT TO USE A  
5 COMPUTERIZED, ELECTRONIC, ELECTRICAL, OR MECHANICAL DEVICE, OR  
6 SOFTWARE OR HARDWARE, OR A COMBINATION THEREOF, THAT IS DESIGNED,  
7 CONSTRUCTED, ALTERED, OR PROGRAMMED TO OBTAIN AN ADVANTAGE AT  
8 PLAYING A GAME WITHOUT THE APPROVAL OF THE MANUFACTURER OR LICENSEE,  
9 INCLUDING A DEVICE THAT:

10 (1) PROJECTS THE OUTCOME OF THE GAME;

11 (2) KEEPS TRACK OF CARDS PLAYED OR CARDS PREPARED FOR PLAY  
12 IN THE GAME;

13 (3) ANALYZES THE PROBABILITY OF THE OCCURRENCE OF AN EVENT  
14 RELATING TO THE GAME; OR

15 (4) ANALYZES THE STRATEGY FOR PLAYING OR BETTING TO BE USED  
16 IN THE GAME.

17 12-404.

18 (A) A PERSON MAY NOT POSSESS, USE, SELL, OR MANUFACTURE  
19 COUNTERFEIT CHIPS, COUNTERFEIT DEBIT INSTRUMENTS, OR OTHER  
20 COUNTERFEIT WAGERING INSTRUMENTS IN A GAME, EQUIPMENT ASSOCIATED WITH  
21 A GAME, OR A CASHLESS WAGERING SYSTEM.

22 (B) A PERSON MAY NOT POSSESS, USE, SELL, OR MANUFACTURE A  
23 COUNTERFEIT INSTRUMENT, A COUNTERFEIT TICKET, OR ANY OTHER COUNTERFEIT  
24 ITEM THAT IS USED TO DETERMINE THE OUTCOME OF A CONTEST OR PROMOTIONAL  
25 ACTIVITY CONDUCTED BY OR ON BEHALF OF A LICENSEE.

26 (C) A PERSON MAY NOT:

27 (1) USE CHIPS, TOKENS, WAGERING CREDITS, OR OTHER WAGERING  
28 INSTRUMENTS THAT ARE NOT APPROVED BY THE STATE LOTTERY AND GAMING  
29 CONTROL COMMISSION OR LEGAL TENDER OF THE UNITED STATES; OR

30 (2) USE COINS OR TOKENS NOT OF THE SAME DENOMINATION AS THE  
31 COINS OR TOKENS INTENDED TO BE USED IN PLAYING OR USING A GAME,

1 ASSOCIATED EQUIPMENT, OR CASHLESS WAGERING SYSTEM.

2 (D) (1) THIS SUBSECTION DOES NOT APPLY TO A PERSON WHO IS AN  
3 EMPLOYEE OF A LICENSEE AUTHORIZED AS PART OF THEIR EMPLOYMENT TO  
4 POSSESS AN ITEM PROHIBITED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

5 (2) A PERSON MAY NOT POSSESS:

6 (I) A DEVICE INTENDED TO BE USED TO VIOLATE THE  
7 PROVISIONS OF THIS SUBTITLE;

8 (II) A KEY OR DEVICE KNOWN TO HAVE BEEN DESIGNED FOR  
9 THE PURPOSE OF AND SUITABLE FOR OPENING, ENTERING, OR AFFECTING THE  
10 OPERATION OF A GAME, A CASHLESS WAGERING SYSTEM, OR A DROP BOX, OR AN  
11 ELECTRONIC OR MECHANICAL DEVICE CONNECTED TO A GAME, A CASHLESS  
12 WAGERING SYSTEM, OR A DROP BOX THAT CAN BE USED FOR REMOVING MONEY OR  
13 OTHER CONTENTS FROM THE GAME, CASHLESS WAGERING SYSTEM, OR DROP BOX;  
14 OR

15 (III) THE EQUIPMENT, PRODUCTS, AND MATERIALS THAT ARE  
16 INTENDED FOR USE OR DESIGNED FOR USE IN MANUFACTURING, PRODUCING,  
17 FABRICATING, PREPARING, TESTING, ANALYZING, PACKAGING, STORING, OR  
18 CONCEALING A COUNTERFEIT FACSIMILE OF A CHIP, A TOKEN, A DEBIT  
19 INSTRUMENT, OR ANY OTHER WAGERING INSTRUMENT APPROVED BY THE STATE  
20 LOTTERY AND GAMING CONTROL COMMISSION OR A LAWFUL COIN OF THE UNITED  
21 STATES.

22 12-405.

23 (A) A PERSON MAY NOT MANUFACTURE, SELL, OR DISTRIBUTE A CARD,  
24 CHIP, DIE, GAME, OR DEVICE THAT IS INTENDED TO BE USED TO VIOLATE A  
25 PROVISION OF THIS SUBTITLE.

26 (B) A PERSON MAY NOT MARK, ALTER, OR OTHERWISE MODIFY A GAMING  
27 DEVICE OR EQUIPMENT ASSOCIATED WITH A GAMING DEVICE IN A MANNER THAT:

28 (1) AFFECTS THE RESULT OF A WAGER BY DETERMINING WIN OR  
29 LOSS; OR

30 (2) ALTERS THE NORMAL CRITERIA OF RANDOM SELECTION THAT  
31 AFFECTS THE OPERATION OF A GAME OR THAT DETERMINES THE OUTCOME OF A  
32 GAME.

1           **(C) A PERSON MAY NOT INSTRUCT ANOTHER IN CHEATING A GAME OR IN**  
2 **THE USE OF A DEVICE FOR THE PURPOSE OF CHEATING A GAME WITH THE**  
3 **KNOWLEDGE OR INTENT THAT THE INFORMATION OR USE SO CONVEYED MAY BE**  
4 **EMPLOYED TO VIOLATE A PROVISION OF THIS SUBTITLE.**

5 **12-406.**

6           **(A) A PERSON CONVICTED UNDER THIS SUBTITLE FOR A VIOLATION OF THIS**  
7 **SUBTITLE IN WHICH THERE IS A LOSS TO A LICENSEE OF PROPERTY OR SERVICES**  
8 **WITH A VALUE OF:**

9                   **(1) AT LEAST \$1,500 BUT LESS THAN \$25,000 IS GUILTY OF A FELONY**  
10 **AND:**

11                           **(I) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR**  
12 **A FINE NOT EXCEEDING \$10,000 OR BOTH; AND**

13                           **(II) SHALL RESTORE THE PROPERTY TAKEN TO THE LICENSEE**  
14 **OR PAY THE LICENSEE THE VALUE OF THE PROPERTY OR SERVICES;**

15                   **(2) AT LEAST \$25,000 BUT LESS THAN \$100,000 IS GUILTY OF A**  
16 **FELONY AND:**

17                           **(I) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS**  
18 **OR A FINE NOT EXCEEDING \$15,000 OR BOTH; AND**

19                           **(II) SHALL RESTORE THE PROPERTY TAKEN TO THE LICENSEE**  
20 **OR PAY THE LICENSEE THE VALUE OF THE PROPERTY OR SERVICES; OR**

21                   **(3) \$100,000 OR MORE IS GUILTY OF A FELONY AND:**

22                           **(I) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS**  
23 **OR A FINE NOT EXCEEDING \$25,000 OR BOTH; AND**

24                           **(II) SHALL RESTORE THE PROPERTY TAKEN TO THE LICENSEE**  
25 **OR PAY THE LICENSEE THE VALUE OF THE PROPERTY OR SERVICES.**

26           **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON**  
27 **CONVICTED UNDER THIS SUBTITLE FOR A VIOLATION OF THIS SUBTITLE IN WHICH**  
28 **THERE IS A LOSS TO A LICENSEE OF PROPERTY OR SERVICES WITH A VALUE OF AT**  
29 **LEAST \$100 BUT LESS THAN \$1,500, IS GUILTY OF A MISDEMEANOR AND:**

30                   **(1) IS SUBJECT TO:**



1           **(I) FOR A FIRST CONVICTION, IMPRISONMENT NOT EXCEEDING**  
2 **6 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH; AND**

3           **(II) FOR A SECOND OR SUBSEQUENT CONVICTION,**  
4 **IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$500 OR BOTH;**  
5 **AND**

6           **(2) SHALL RESTORE THE PROPERTY TAKEN TO THE LICENSEE OR PAY**  
7 **THE LICENSEE THE VALUE OF THE PROPERTY OR SERVICES.**

8           **(C) A PERSON CONVICTED UNDER THIS SUBTITLE FOR A VIOLATION OF THIS**  
9 **SUBTITLE IN WHICH THERE IS A LOSS TO A LICENSEE OF PROPERTY OR SERVICES**  
10 **WITH A VALUE OF LESS THAN \$100 IS GUILTY OF A MISDEMEANOR AND:**

11           **(1) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A**  
12 **FINE NOT EXCEEDING \$500 OR BOTH; AND**

13           **(2) SHALL RESTORE THE PROPERTY TAKEN TO THE LICENSEE OR PAY**  
14 **THE LICENSEE THE VALUE OF THE PROPERTY OR SERVICES.**

15           **(D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, A PERSON WHO HAS**  
16 **FOUR OR MORE PRIOR CONVICTIONS UNDER THIS SUBTITLE AND WHO IS CONVICTED**  
17 **UNDER THIS SUBTITLE FOR A VIOLATION OF THIS SUBTITLE IN WHICH THERE IS A**  
18 **LOSS TO A LICENSEE OF PROPERTY OR SERVICES WITH A VALUE OF LESS THAN**  
19 **\$1,500 UNDER SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR**  
20 **AND:**

21           **(1) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A**  
22 **FINE NOT EXCEEDING \$5,000 OR BOTH; AND**

23           **(2) SHALL RESTORE THE PROPERTY TAKEN TO THE LICENSEE OR PAY**  
24 **THE LICENSEE THE VALUE OF THE PROPERTY OR SERVICES.**

25           **(E) THE COURT MAY NOT IMPOSE THE PENALTIES UNDER SUBSECTION (D)**  
26 **OF THIS SECTION UNLESS THE STATE'S ATTORNEY SERVES NOTICE ON THE**  
27 **DEFENDANT OR THE DEFENDANT'S COUNSEL BEFORE THE ACCEPTANCE OF A PLEA**  
28 **OF GUILTY OR NOLO CONTENDERE OR AT LEAST 15 DAYS BEFORE TRIAL THAT:**

29           **(1) THE STATE WILL SEEK THE PENALTIES UNDER SUBSECTION (D)**  
30 **OF THIS SECTION; AND**

31           **(2) LISTS THE ALLEGED PRIOR CONVICTIONS.**

1           **(F) (1) FOR THE PURPOSES OF DETERMINING WHETHER A VIOLATION**  
2 **SUBJECT TO EITHER SUBSECTION (A) OR (B) OF THIS SECTION HAS BEEN**  
3 **COMMITTED, WHEN IT CANNOT BE DETERMINED WHETHER THE VALUE OF THE**  
4 **PROPERTY OR SERVICE IS MORE OR LESS THAN \$1,500 UNDER THE STANDARDS OF**  
5 **THIS SECTION, THE VALUE IS DEEMED TO BE LESS THAN \$1,500.**

6           **(2) FOR THE PURPOSES OF DETERMINING WHETHER A THEFT**  
7 **VIOLATION SUBJECT TO EITHER SUBSECTION (B) OR (C) OF THIS SECTION HAS BEEN**  
8 **COMMITTED, WHEN IT CANNOT BE DETERMINED WHETHER THE VALUE OF THE**  
9 **PROPERTY OR SERVICE IS MORE OR LESS THAN \$100 UNDER THE STANDARDS OF**  
10 **THIS SECTION, THE VALUE IS DEEMED TO BE LESS THAN \$100.**

11           **(G) A GAMING INSTRUMENT APPROVED BY THE STATE LOTTERY AND**  
12 **GAMING CONTROL COMMISSION FOR GAMING USE HAS THE EQUIVALENT**  
13 **MONETARY VALUE STATED ON THE INSTRUMENT OR ASSIGNED BY GAME PLAY.**

14           **(H) WHEN A VIOLATION OF THIS SUBTITLE IS COMMITTED UNDER ONE**  
15 **SCHEME OR CONTINUING COURSE OF CONDUCT, WHETHER FROM THE SAME OR**  
16 **SEVERAL SOURCES:**

17                   **(1) THE CONDUCT MAY BE CONSIDERED AS ONE CRIME; AND**

18                   **(2) THE VALUE OF THE PROPERTY OR SERVICES MAY BE**  
19 **AGGREGATED FOR THE PURPOSES OF DETERMINING WHETHER THE VIOLATION IS A**  
20 **FELONY OR A MISDEMEANOR.**

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
22 apply only prospectively and may not be applied or interpreted to have any effect on or  
23 application to any cause of action arising before the effective date of this Act.

24           SECTION 3. AND BE IT FURTHER ENACTED, That, if any provision of this Act or  
25 the application thereof to any person or circumstance is held invalid for any reason in a  
26 court of competent jurisdiction, the invalidity does not affect other provisions or any other  
27 application of this Act that can be given effect without the invalid provision or application,  
28 and for this purpose the provisions of this Act are declared severable.

29           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
30 1, 2018.