

~~(H) TO CONCEAL OR TO ASSIST ANOTHER TO CONCEAL FROM A TELECOMMUNICATION SERVICE PROVIDER, OR FROM A LAWFUL AUTHORITY, THE EXISTENCE, PLACE OF ORIGIN, OR DESTINATION OF A TELECOMMUNICATION, OR~~

(2) POSSESS, USE, MANUFACTURE, ASSEMBLE, DISTRIBUTE, TRANSFER, SELL, OFFER, PROMOTE, OR ADVERTISE FOR SALE, USE, OR DISTRIBUTION ANY UNLAWFUL ACCESS DEVICE; OR

(3) POSSESS, USE, PREPARE, DISTRIBUTE, SELL, GIVE, TRANSFER, OFFER, PROMOTE, OR ADVERTISE FOR SALE, USE, OR DISTRIBUTION EQUIPMENT, INCLUDING HARDWARE, CABLES, TOOLS, DATA, COMPUTER SOFTWARE, OR OTHER COMPONENTS WITH KNOWLEDGE THAT THE PURCHASER OR A THIRD PERSON INTENDS TO USE THEM TO MANUFACTURE OR ASSEMBLE AN UNLAWFUL TELECOMMUNICATION DEVICE OR ACCESS CODE FOR A PURPOSE 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 IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$2,500 OR BOTH.

(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A ~~MISDEMEANOR~~ FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING ~~5~~ 10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH IF THE VIOLATION OF THIS SECTION INVOLVES MORE THAN ~~50~~ 100 UNLAWFUL TELECOMMUNICATION ~~OR DEVICES OR ACCESS CODES OR UNLAWFUL ACCESS DEVICES.~~

~~(3) FOR PURPOSES OF ALL CRIMINAL PENALTIES OR FINES ESTABLISHED FOR VIOLATIONS OF THIS SECTION, THE PROHIBITED ACTIVITY AS IT APPLIES TO EACH UNLAWFUL TELECOMMUNICATION OR ACCESS DEVICE IS A SEPARATE VIOLATION.~~

~~(4)~~ IN ADDITION TO ANY OTHER SENTENCE AUTHORIZED BY LAW, THE COURT MAY REQUIRE A PERSON CONVICTED OF VIOLATING THIS SECTION TO MAKE RESTITUTION IN ACCORDANCE WITH THE CRIMINAL PROCEDURE ARTICLE.

~~(6)~~ (4) ON CONVICTION OF A DEFENDANT UNDER THIS SECTION, THE COURT MAY, IN ADDITION TO ANY OTHER SENTENCE AUTHORIZED BY LAW, DIRECT THAT THE DEFENDANT FORFEIT TO THE STATE ANY UNLAWFUL TELECOMMUNICATION ~~OR DEVICES OR ACCESS CODES OR UNLAWFUL ACCESS DEVICES~~ IN THE DEFENDANT'S POSSESSION OR CONTROL WHICH WERE INVOLVED IN THE VIOLATION FOR WHICH THE DEFENDANT WAS CONVICTED.

(E) (1) A CRIME UNDER THIS SECTION MAY BE CONSIDERED TO HAVE BEEN COMMITTED AT EITHER THE PLACE WHERE THE DEFENDANT MANUFACTURES OR ASSEMBLES AN UNLAWFUL TELECOMMUNICATION ~~OR DEVICE OR ACCESS CODE OR UNLAWFUL ACCESS DEVICE~~ OR ASSISTS OTHERS IN DOING SO, OR A PLACE WHERE THE UNLAWFUL TELECOMMUNICATION ~~OR DEVICE OR ACCESS CODE OR UNLAWFUL ACCESS DEVICE~~ IS SOLD OR DELIVERED TO A PURCHASER OR RECIPIENT.