

(7) Electricity, gas, and water;

(8) Birds, animals, and fish which ordinarily are kept in a state of confinement;

(9) Food and drink;

(10) Samples, cultures, micro-organisms, specimens;

(11) Records, recordings, documents, blueprints, drawings, maps, and whole or partial copies, descriptions, photographs, prototypes or models thereof; or any other articles, materials, devices, substances, and whole or partial copies, descriptions, photographs, prototypes, or models thereof which represent evidence, reflect or record secret scientific, technical, merchandising production or management information, designed process, procedure, formula, invention, trade secret, or improvement[.];

(12) FINANCIAL INSTRUMENTS, INFORMATION, ELECTRONICALLY PRODUCED DATA, COMPUTER SOFTWARE AND PROGRAMS IN EITHER MACHINE OR HUMAN READABLE FORM, AND OTHER TANGIBLE OR INTANGIBLE ITEMS OF VALUE.

(j) "Service" includes, but is not limited to:

(1) Labor or professional service;

(2) Telecommunication, public utility, toll facilities, or transportation service; [or]

(3) Lodging, entertainment, or restaurant service [.]; OR

(4) THE USE OF EQUIPMENT (INCLUDING, BUT NOT LIMITED TO, COMPUTERS AND OTHER DATA PROCESSING EQUIPMENT).

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(b) A person commits the offense of theft when he willfully or knowingly [obtains by deception] USES DECEPTION TO OBTAIN AND DOES OBTAIN control over property of the owner, and

(1) Has the purpose of depriving the owner of the property; or

(2) Willfully or knowingly uses, conceals, or abandons the property in such manner as to deprive the owner of the property; or

(3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner of the property.