
By: Senator Middleton

Introduced and read first time: February 1, 1996

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 13, 1996

CHAPTER ____

1 AN ACT concerning

2 **Charles County - Nudity in Public Places**

3 FOR the purpose of prohibiting a person from knowingly or intentionally appearing in a
4 public place in Charles County unclothed or in certain clothing that exposes to view
5 certain parts of a person's body; creating an exception to this prohibition;
6 prohibiting a person who maintains, owns, or operates a public place in Charles
7 County from knowingly, or with reason to know, allowing a person to engage in
8 certain conduct; imposing certain penalties; defining a certain term; and generally
9 relating to nudity in public places.

10 BY repealing

11 Article 27 - Crimes and Punishments
12 Section 416G
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1995 Supplement)

15 BY adding to

16 Article 27 - Crimes and Punishments
17 Section 416G and 416H
18 Annotated Code of Maryland
19 (1992 Replacement Volume and 1995 Supplement)

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

2

1 **Article 27 - Crimes and Punishments**

2 [416G.

3 Any person, firm or corporation which violates the provisions of this subtitle shall,
4 upon conviction, be subject to a fine of up to one thousand dollars (\$1,000) or
5 imprisonment for up to six (6) months.]

6 416G.

7 (A) (1) IN THIS SECTION, "PUBLIC PLACE" MEANS A LOCATION THAT THE
8 PUBLIC IS LIKELY TO VISIT OR IN WHICH A PERSON IS LIKELY TO BE OBSERVED BY
9 THE PUBLIC.

10 (2) "PUBLIC PLACE" INCLUDES:

11 (I) A STREET, SIDEWALK, OR PARK;

12 (II) A BUSINESS OR COMMERCIAL ESTABLISHMENT;

13 (III) A PART OF A MOTEL OR HOTEL THAT IS NOT DESIGNED OR
14 INTENDED FOR SLEEPING;

15 (IV) A RESTAURANT, NIGHTCLUB, COUNTRY CLUB, OR CABARET;

16 (V) A MEETING FACILITY USED BY A RELIGIOUS, SOCIAL,
17 FRATERNAL, OR SIMILAR ORGANIZATION; AND

18 (VI) A PLACE IN WHICH A PERSON'S CONDUCT MAY BE USED TO
19 PROMOTE BUSINESS OR MAY BE OTHERWISE COMMERCIALY EXPLOITED.

20 (3) "PUBLIC PLACE" DOES NOT INCLUDE:

21 (I) A PLACE, SUCH AS A HOTEL ROOM, THAT IS USED SOLELY AS A
22 PERMANENT OR TEMPORARY PRIVATE RESIDENCE;

23 (II) A PLACE THAT IS PROVIDED OR RESERVED FOR NUDITY,
24 INCLUDING AN ENCLOSED SINGLE SEX FUNCTIONAL RESTROOM, SHOWER, LOCKER
25 ROOM, OR DRESSING ROOM; OR

26 (III) AN AREA IN A DOCTOR'S OFFICE, HOSPITAL, OR SIMILAR
27 FACILITY IN WHICH NUDITY IS NECESSARILY AND CUSTOMARILY EXPECTED.

28 (B) THIS SECTION APPLIES ONLY IN CHARLES COUNTY.

29 (C) A PERSON MAY NOT KNOWINGLY OR INTENTIONALLY APPEAR IN A
30 PUBLIC PLACE UNCLOTHED OR IN A G-STRING, T-BACK, THONG, OR ANY OTHER
31 CLOTHING THAT EXPOSES TO VIEW:

32 (1) WITH LESS THAN A FULLY OPAQUE CLOTHING COVERING, ANY
33 PART OF THE FEMALE BREAST BELOW THE TOP OF THE AREOLA; OR

34 (2) WITH LESS THAN A FULLY OPAQUE CLOTHING COVERING, ANY
35 PART OF THE MALE OR FEMALE PUBIC HAIR, ANUS, OR GENITALIA.

3

1 (D) SUBSECTION (C)(1) OF THIS SECTION DOES NOT APPLY TO A MOTHER IN
2 THE ACT OF NURSING HER BABY.

3 (E) A PERSON THAT MAINTAINS, OWNS, OR OPERATES A PUBLIC PLACE MAY
4 NOT KNOWINGLY, OR WITH REASON TO KNOW, ALLOW AN INDIVIDUAL TO VIOLATE
5 SUBSECTION (C) OF THIS SECTION.

6 416H.

7 (A) A PERSON WHO VIOLATES ANY OF THE PROVISIONS OF §§ 416B THROUGH
8 416F OF THIS SUBHEADING IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS
9 SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 6
10 MONTHS ~~OR BOTH~~.

11 (B) A PERSON WHO VIOLATES ANY OF THE PROVISIONS OF § 416G OF THIS
12 SUBHEADING IS GUILTY OF A MISDEMEANOR AND ON CONVICTION:

13 (1) FOR A FIRST OFFENSE, IS SUBJECT TO A FINE NOT EXCEEDING \$1,000
14 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH; AND

15 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, IS SUBJECT TO A FINE
16 NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 5 YEARS OR BOTH.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1996.