

BY: Conference Committee

AMENDMENTS TO HOUSE BILL NO. 340  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; in line 10, after the semicolon insert "making this Act an emergency measure"; after line 11, insert:

"BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 418B

Annotated Code of Maryland

(1996 Replacement Volume and 2001 Supplement)".

AMENDMENT NO. 2

On page 2, after line 2, insert:

"Article 27 - Crimes and Punishments

418B.

(a) Any person who as actor, dancer, owner, manager, producer, director or agent or in any other capacity, prepares, gives, directs, presents, performs or participates in any obscene performance, exhibition, drama, play, show, dancing exhibition, tableau, or entertainment in which live persons perform or participate in an obscene manner in the presence of any other person or persons who have paid a consideration of any type whatsoever to observe the exhibition or performance shall be guilty of a misdemeanor and on conviction shall be fined or imprisoned according to the penalty set forth under § 424 of this article.

(b) Every owner, lessee, or manager of any theatre, garden, building, room, place or structure, who knowingly permits the same to be used for the purpose of any such exhibition as

(Over)

enumerated in paragraph (a) of this section, or who assents to its use for any such purpose shall be guilty of a misdemeanor and on conviction shall be fined or imprisoned according to the penalty set forth under § 424 of this article.

(c) This section applies only in ALLEGANY, Anne Arundel, Charles, Howard, Somerset, Wicomico, and Worcester Counties.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:";

and strike in their entirety lines 21 and 22 and substitute:

"SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of 2002. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly and, except as provided in Section 3 of this Act, shall take effect from the date it is enacted."