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By: **Allegany County Delegation**

Introduced and read first time: January 25, 2002

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Indecency and Obscenity - Prohibition on Performances - Allegany County**

3 FOR the purpose of including Allegany County in the counties in which it is a  
4 misdemeanor for a person to give, direct, or perform a live obscene performance  
5 in the presence of individuals who have paid consideration to observe the  
6 performance, or for certain persons knowingly to permit the live obscene  
7 performance in certain premises; and generally relating to the prohibition  
8 against obscene performances in certain counties.

9 BY repealing and reenacting, with amendments,  
10 Article - Criminal Law  
11 Section 11-204(a)  
12 Annotated Code of Maryland  
13 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
14 2002)

15 BY repealing and reenacting, without amendments,  
16 Article - Criminal Law  
17 Section 11-204(b) and (c)  
18 Annotated Code of Maryland  
19 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
20 2002)

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

23 **Article - Criminal Law**

24 11-204.

25 (a) This section applies only in ALLEGANY, Anne Arundel, Charles, Howard,  
26 Somerset, Wicomico, and Worcester counties.

27 (b) (1) A person may not prepare, give, direct, present, perform or  
28 participate in an obscene performance, exhibition, drama, play, show, dancing

1 exhibition, tableau, or other entertainment in which individuals perform or  
2 participate live in an obscene manner in the presence of individuals who have paid  
3 any kind of consideration to observe the exhibition or performance.

4           (2)       An owner, lessee, or manager of a building, garden, place, room,  
5 structure, or theater may not knowingly allow or assent to the use of the premises for  
6 the types of exhibitions prohibited by paragraph (1) of this subsection.

7       (c)       A person who violates this section is guilty of a misdemeanor and on  
8 conviction is subject to:

9           (1)       for a first violation, imprisonment not exceeding 1 year or a fine not  
10 exceeding \$1,000 or both; and

11           (2)       for each subsequent violation, imprisonment not exceeding 3 years or  
12 a fine not exceeding \$5,000 or both.

13       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2002.