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By: **Allegany County Delegation**  
Introduced and read first time: January 25, 2002  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: February 19, 2002

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CHAPTER \_\_\_\_\_

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~~ participate in a certain manner in certain  
8 obscene live performances or for certain persons associated with certain  
9 premises to allow or assent to the use of the premises for certain live obscene  
10 performances under certain circumstances; and generally relating to the  
11 prohibition against obscene performances in certain counties.

12 BY repealing and reenacting, with amendments,  
13 Article - Criminal Law  
14 Section ~~11-204(a)~~ 11-204  
15 Annotated Code of Maryland  
16 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
17 2002)

18 ~~BY repealing and reenacting, without amendments,~~  
19 ~~Article - Criminal Law~~  
20 ~~Section 11-204(b) and (c)~~  
21 ~~Annotated Code of Maryland~~  
22 ~~(As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of~~  
23 ~~2002)~~

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

3 **Article - Criminal Law**

4 11-204.

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

7 (b) (1) A person may not prepare, give, direct, present, perform or  
8 participate in an obscene performance, exhibition, drama, play, show, dancing  
9 exhibition, tableau, or other entertainment in which individuals perform or  
10 participate live in an obscene manner in the presence of individuals who have paid  
11 any kind of consideration to observe the exhibition or performance.

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

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

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

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

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