

Department of Legislative Services

Maryland General Assembly

2002 Session

FISCAL NOTE

Revised

House Bill 340

(Allegany County Delegation)

Judiciary

Judicial Proceedings

Indecency and Obscenity - Prohibition on Performances - Allegany County

This emergency bill prohibits a person in Allegany County from giving, directing, performing, or knowingly permitting a live obscene performance in the presence of individuals who have paid consideration to observe the performance. A person who violates this prohibition is guilty of a misdemeanor.

Fiscal Summary

State Effect: None.

Local Effect: Enforcement of the bill's provisions would not significantly affect Allegany County finances.

Small Business Effect: None.

Analysis

Current Law: In Anne Arundel, Charles, Howard, Somerset, Wicomico, and Worcester counties a person may not prepare, give, direct, present, perform, or participate in an obscene performance, exhibition, drama, play, show, dancing exhibition, tableau, or other entertainment in which individuals perform or participate live in an obscene manner in the presence of individuals who have paid any kind of consideration to observe the exhibition or performance. Additionally, in these same counties, an owner, lessee, or manager of a building, garden, place, room, structure, or theater may not knowingly allow or assent to the use of the premises for these types of exhibitions. Any person who violates this law and is convicted for a first violation is guilty of a misdemeanor and is

subject to a fine not exceeding \$1,000 or imprisonment not exceeding one year, or both. For each subsequent violation found to be guilty is subject to a fine not exceeding \$5,000 or imprisonment of three years or less, or both.

Background: Allegany County advises that indecent and obscene performances are not a current problem in the county. However, indecent and obscene performances are increasing in West Virginia and pose a potential problem for Allegany County. This legislation intends to prevent indecent and obscene performances from occurring in Allegany County.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Allegany County, Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - February 8, 2002
ncs/hlb Revised - Enrolled Bill - May 2, 2002

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