

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 710  
Judiciary

(Delegate Grammer, *et al.*)

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**Criminal Law - Display of Obscene Material to Minors**

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This bill alters the definition of “item” under §11-203 of the Criminal Law Article (displaying or distributing obscene material to minors) to include a drawing and an illustration. The bill also expands §11-203’s prohibition on openly and knowingly displaying obscene materials in a place frequented by minors to include public schools, school principals, and renting or borrowing items that are subject to the prohibition.

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**Fiscal Summary**

**State Effect:** The bill is not expected to materially affect State operations or finances.

**Local Effect:** The bill is not expected to materially affect local government operations or finances.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary/Current Law:** Under current law, § 11-203 of the Criminal Law Article prohibits a person from willfully or knowingly displaying or exhibiting or engaging in the business of displaying, exhibiting, selling, showing, advertising for sale, or distributing to a minor an “item” (1) the cover or content of which is principally made up of an obscene description or depiction of illicit sex or (2) that consists of an obscene picture of a nude or partially nude figure.

Under current law, if a newsstand or other place of business is frequented by minors, the owner, operator, franchisee, manager, or an employee with managerial responsibility may

not openly and knowingly display at the place of business an item whose sale, display, exhibition, showing, or advertising is prohibited as specified above. The bill alters these provisions to instead specify that if a *public school*, newsstand, or other place of business is frequented by minors, the owner, operator, franchisee, manager, *school principal*, or an employee with managerial responsibility may not openly and knowingly display on the *premises* an item whose sale, display, exhibition, *rental*, *borrowing*, showing, or advertising is prohibited, as specified.

Violators are guilty of a misdemeanor, punishable by imprisonment for up to one year and/or a \$1,000 maximum fine for a first violation and imprisonment for up to three years and/or a \$5,000 maximum fine for each subsequent violation.

Under § 11-203, “obscene” means (1) that the average adult applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (2) that the work depicts specified sexual conduct in a way that is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material; and (3) that the work, taken as a whole, lacks serious artistic, educational, literacy, political, or scientific value. An “item” means a still picture, photograph, book, pocket book, pamphlet, magazine, videodisc, videotape, video game, film, computer disc, or recorded telephone message.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Public Safety and Correctional Services; Baltimore County Public Schools; Anne Arundel County Public Schools; Frederick County Public Schools; Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2026  
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