

CHAPTER 619  
(House Bill 19)

AN ACT to repeal and re-enact, with amendments, ~~Section~~ SECTIONS 417(2) AND 418A of Article 27 of the Annotated Code of Maryland (1967 Replacement Volume AND 1967 SUPPLEMENT), title "Crimes and Punishments," subtitle "Obscene or Other Objectionable Publications MATTER", REDEFINING THE WORD 'PERSON' AS USED IN THE LAWS CONCERNING MOTION PICTURES, AND amending the laws concerning the injunctive remedy available as to certain obscene or objectionable materials in order to make this section apply and specifically to authorize the use of this injunctive procedure to motion picture films or showings.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That ~~Section~~ SECTIONS 417(2) AND 418A of Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Obscene or Other Objectionable Publications MATTER," be and ~~it is~~ THEY ARE hereby repealed and re-enacted, with amendments, to read as follows:

417.

(2) 'PERSON' MEANS ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER LEGAL ENTITY, BUT SHALL NOT BE CONSTRUED TO INCLUDE AN EMPLOYEE OF ANY INDIVIDUAL, PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER LEGAL ENTITY OPERATING A THEATRE WHICH SHOWS MOTION PICTURES IF THE EMPLOYEE IS NOT AN OFFICER THEREOF OR HAS NO FINANCIAL INTEREST THEREIN OTHER THAN RECEIVING SALARY AND WAGES.

418A.

The circuit courts of the counties and the equity courts of the Supreme Bench of Baltimore City have jurisdiction to enjoin the sale or distribution of any book, magazine, or any other publication or article (*including a motion picture film or showing*) which is prohibited from sale or distribution, as hereinafter specified.

1. The State's attorneys of the counties and Baltimore City in which a person, firm or corporation sells or distributes or is about to sell or distribute or has in his possession with intent to sell or distribute or is about to acquire possession with intent to sell or distribute any book, magazine, pamphlet, newspaper, story paper, writing paper, picture, card, drawing or photograph (*including a motion picture film or showing*) or any article or instrument of use which is obscene, within the meaning of Section 418 of this article may maintain an action for an injunction against such person, firm or corporation in the circuit court of the counties or the equity courts of the Supreme Bench of Baltimore City to prevent the sale or further sale or the distribution or further distribution or the acquisition, publication or possession within this State of any book, magazine, pamphlet, newspaper, story paper, writing paper, picture, card, drawing or photograph (*including a motion picture film or showing*), or any article or instrument of use which is obscene.