

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 11-203

Annotated Code of Maryland

(2002 Volume and 2005 Supplement)

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

Article - Criminal Law

11-203.

(a) (1) In this section the following words have the meanings indicated.

(2) "Distribute" includes to rent.

(3) "Illicit sex" means:

(i) human genitals in a state of sexual stimulation or arousal;

(ii) acts of human masturbation, sexual intercourse, or sodomy; or

(iii) fondling or other erotic touching of human genitals.

(4) "Item" means a:

(i) still picture or photograph;

(ii) book, pocket book, pamphlet, or magazine;

(iii) videodisc, videotape, VIDEO GAME, film, or computer disc; or

(iv) recorded telephone message.

(5) "Obscene" means:

(i) that the average adult applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;

(ii) that the work depicts sexual conduct specified in subsection (b) of this section 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

(iii) that the work, taken as a whole, lacks serious artistic, educational, literary, political, or scientific value.

(6) "Partially nude figure" means a figure with:

(i) less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola; or