

Article 27 - Crimes and Punishments

419.

(a) (1) A person may not willfully or knowingly engage in the business of DISPLAYING, EXHIBITING, selling, showing, advertising for sale, or distributing to any person under the age of 18 years any still picture, photograph, book, pocket book, pamphlet, magazine, video disc, video tape, FILM, COMPUTER DISC, or recorded telephone messages the cover or content of which is principally made up of obscene descriptions or depictions of illicit sex, or which consists of obscene pictures of nude or partially denuded figures.

(2) A PERSON MAY NOT WILLFULLY OR KNOWINGLY DISPLAY OR EXHIBIT TO ANY PERSON UNDER THE AGE OF 18 YEARS ANY STILL PICTURE, PHOTOGRAPH, BOOK, POCKET BOOK, PAMPHLET, MAGAZINE, VIDEODISC, VIDEOTAPE, FILM, COMPUTER DISC, OR RECORDED TELEPHONE MESSAGES THE COVER OR CONTENT OF WHICH IS PRINCIPALLY MADE UP OF OBSCENE DESCRIPTIONS OR DEPICTIONS OF ILLICIT SEX, OR WHICH CONSISTS OF OBSCENE PICTURES OF NUDE OR PARTIALLY DENUDED FIGURES.

[(2)](3) The provision of services or facilities by a telephone company pursuant to tariffs approved by the Public Service Commission is not a violation of the provisions of paragraph (1) of this subsection that relate to recorded telephone messages.

[(3)](4) An owner, operator, franchisee, manager, or any employee with managerial responsibility of a newsstand or any other place of business may not openly and knowingly display at the newsstand or other place of business, if it is frequented by persons under the age of 18 years, any of the items whose sale, DISPLAY, EXHIBITION, showing, or advertising is prohibited by paragraph (1) of this subsection.

[(4)](5) Violation of this section is a misdemeanor.

(b) In this section the following words have the meanings indicated:

(1) "Descriptions or depictions of illicit sex" shall mean:

- (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.

(2) "Distributing" includes renting.

(3) "Nude or partially denuded figures" means:

(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

(ii) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(4) "Obscene" means: