

ABUSE AS DEFINED IN § 416A OF THIS ARTICLE OF OR WITH ANY MINOR IS SUBJECT TO THE PENALTY PROVIDED IN SUBSECTION (F) OF THIS SECTION.

[(e)](F) (1) Every person who violates the provisions of this section is guilty of a felony and upon conviction shall be fined not more than \$25,000 or imprisoned for 10 years, or both in the discretion of the court.

(2) A person who is convicted of a subsequent violation of this section is subject to a fine not exceeding \$50,000 or imprisonment not exceeding 20 years, or both in the discretion of the court.

[(f)](G) (1) In any action brought under this section, where the minor's identity is unknown or where the minor is outside the jurisdiction, the State's Attorney is not required to identify or produce testimony from the minor who is depicted in the obscene matter or in any visual representation or performance that depicts the minor engaged as a subject in sexual conduct OR SADOMASOCHISTIC ABUSE as defined in § 416A of this article.

(2) The court or jury may determine whether an individual who is depicted in any obscene matter, or any visual representation or performance as the subject in sexual conduct OR SADOMASOCHISTIC ABUSE as defined in § 416A of this article, was a minor by observation of the matter depicting the individual, oral testimony by a witness to the production of the matter, expert medical testimony, or any other method authorized by an applicable provision of law or rule of evidence.

Article 88B – Department of State Police

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(c) Police employees shall not act within the limits of any incorporated municipality which maintains a police force except: (1) when in pursuit of an offender or suspected offender; (2) when in search of an offender or suspected offender wanted for a crime committed outside of the limits of the municipality, or when interviewing or seeking to interview a witness or supposed witness to such a crime; (3) when a crime is committed in the presence of the police employee, the arrested party shall be immediately transferred to the custody of the local law enforcement agency; (4) when requested to act by the chief executive officer or the chief police officer of the municipality; (5) when ordered by the Governor to act within the municipality; (6) except in Baltimore City, when enforcing the motor vehicle laws of this State; (7) in Baltimore City, only when enforcing Title 23 (Vehicle Laws – Inspection of Used Vehicles and Warnings for Defective Equipment) of the Transportation Article; (8) in any building or place when ordered by the President of the Senate and the Speaker of the House of Delegates, or either of them, to guard the safety of legislators or the integrity of the legislative process; (9) to protect the safety of an elected State official; (10) in the municipalities of Somerset County; (11) WHEN ENFORCING ARTICLE 27, § 419A OF THE CODE; or [(11)] (12) (i) 1. when participating in a joint investigation with officials from any other State, federal, or local law enforcement agency at least one of which shall have local jurisdiction; 2. when rendering assistance to a police officer; 3. when acting at the request of a local police officer; or 4. when an emergency exists; and (ii) when acting in accordance with regulations adopted by the Secretary to implement this paragraph.