

Sincerely,
Parris N. Glendening
Governor

Senate Bill No. 133

AN ACT concerning

Child Pornography — Computers Crimes and Law Enforcement

FOR the purpose of expanding certain provisions of law relating to child pornography to make them applicable to minors in a certain state of being and minors who are engaged as a subject in sadomasochistic abuse; prohibiting a person from using a computer to compile, enter, print, publish, reproduce, buy, sell, exchange, transmit, disseminate, or advertise certain data relating to minors for the purpose of facilitating, encouraging, offering, or soliciting certain sexual conduct or sadomasochistic abuse of or with any minor by means of a computer; prohibiting certain computer generated depictions of minors in a certain state of being or certain conduct of or with a minor; authorizing the Department of State Police to exercise certain police powers; and generally relating to computers and child pornography criminal law and law enforcement.

BY repealing and reenacting, with amendments,
Article 27 – Crimes and Punishments
Section 419A
Annotated Code of Maryland
(1992 Replacement Volume and 1995 Supplement)

BY repealing and reenacting, with amendments,
Article 88B – Department of State Police
Section 4(c)
Annotated Code of Maryland
(1995 Replacement Volume)

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

Article 27 – Crimes and Punishments

419A.

(a) In this section “minor” means an individual under 18 years of age.

(b) Every person who solicits, causes, induces, or knowingly permits a minor to engage as a subject in the production of any obscene matter or any visual representation or performance that depicts a minor ~~IN A STATE OF SEXUAL EXCITEMENT~~ engaged as a subject in sexual conduct OR SADOMASOCHISTIC ABUSE as defined in [§ 416A(d)] § 416A of this article~~f,†~~ is subject to the penalty provided in subsection [(e)] (F) of this section.