

(c) Every person who photographs [or], films, OR BY MEANS OF COMPUTER DEPICTS OR DESCRIBES a minor ~~IN A STATE OF SEXUAL EXCITEMENT OR~~ engaging in an obscene act or engaging in sexual conduct OR SADOMASOCHISTIC ABUSE as defined in § 416A of this article is subject to the penalty provided in subsection [(e)] (F) of this section.

(d) Every person who knowingly promotes, distributes, or possesses with intent to distribute any matter or other visual representation or performance that depicts a minor ~~IN A STATE OF SEXUAL EXCITEMENT OR~~ engaged as a subject in sexual conduct OR SADOMASOCHISTIC ABUSE, as defined in § 416A of this article, is subject to the penalty provided in subsection [(e)] (F) of this section.

(E) EVERY PERSON WHO, BY MEANS OF COMPUTER, KNOWINGLY COMPILES, ENTERS, TRANSMITS, MAKES, PRINTS, PUBLISHES, REPRODUCES, CAUSES, ALLOWS, BUYS, SELLS, RECEIVES, EXCHANGES, OR DISSEMINATES ANY NOTICE, STATEMENT, ADVERTISEMENT, OR MINOR'S NAME, TELEPHONE NUMBER, PLACE OF RESIDENCE, PHYSICAL CHARACTERISTICS, OR OTHER DESCRIPTIVE OR IDENTIFYING INFORMATION FOR THE PURPOSE OF ENGAGING, FACILITATING, ENCOURAGING, OFFERING, OR SOLICITING UNLAWFUL SEXUAL CONDUCT OR SADOMASOCHISTIC 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 ~~IN A STATE OF SEXUAL EXCITEMENT~~ 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 ~~IN A STATE OF SEXUAL EXCITEMENT OR~~ 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