

10-104. SALE OF NONLATEX CONDOM BY VENDING MACHINE.

(A) PROHIBITED.

A PERSON MAY NOT SELL OR OFFER FOR SALE A NONLATEX CONDOM BY MEANS OF A VENDING MACHINE OR OTHER AUTOMATIC DEVICE.

(B) PENALTY.

(1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR EACH VIOLATION.

(2) EACH VENDING MACHINE OR OTHER AUTOMATIC DEVICE IN VIOLATION OF THIS SECTION IS A SEPARATE VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 41.

In subsection (a) of this section, the former reference to a "firm, or corporation" is deleted in light of the defined term "person".

Defined term: "Person" § 1-101

10-105. SALE OF CONTRACEPTIVE BY VENDING MACHINE IN SCHOOL.

(A) PROHIBITED.

A PERSON MAY NOT SELL OR OFFER FOR SALE A CONTRACEPTIVE OR A CONTRACEPTIVE DEVICE, WHETHER OR NOT ADVERTISED AS A PROPHYLACTIC, BY MEANS OF A VENDING MACHINE OR OTHER AUTOMATIC DEVICE AT A KINDERGARTEN, NURSERY SCHOOL, OR ELEMENTARY OR SECONDARY SCHOOL.

(B) PENALTY.

(1) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR EACH VIOLATION.

(2) EACH VENDING MACHINE OR OTHER AUTOMATIC DEVICE IN A SCHOOL IS A SEPARATE VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 41A.

In subsection (a) of this section, the former definition of "school" is incorporated as part of the substantive provision because the term is only used once.

Also in subsection (a) of this section, the reference to "[a] person" is added for clarity.

In subsection (b) of this section, the former reference to a "firm, or corporation" is deleted in light of the defined term "person".