

states still style their statutes as the "Uniform Flag Law" and retain language on uniform construction among the adopting states. They are Maine, Vermont, and Virginia.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that §§ 10-603 and 10-604 of this subtitle present constitutional issues relating to freedom of expression under the First Amendment to the U.S. Constitution and Maryland Declaration of Rights, Art. 40. In particular, former Art. 27, § 82, which prohibits marking and merchandising involving a flag and is revised as § 10-603 of this subtitle, has been limited to apply only to the flag and Great Seal of the State, not to representations of either. Former Art. 27, § 83, which prohibits mutilation of a flag and is revised as § 10-604 of this subtitle, constitutionally may reach only commercial actions, not political expression. The General Assembly may wish to address these concerns in substantive legislation. *See* Letter of Advice from Attorney General J. Joseph Curran, Jr. to Judge Alan M. Wilner, pp. 3-7 (October 17, 2000).

TITLE 11. INDECENCY AND OBSCENITY.

SUBTITLE 1. ADULT SEXUAL DISPLAYS AND RELATED CRIMES.

11-101. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the introductory language of former Art. 27, § 416A.

The reference to "this subtitle" is substituted for the former reference to "this subheading". Although this subtitle contains material on "indecent exposure" derived from material outside of the former "Nudity and Sexual Displays" subheading of Article 27, the terms defined in this section are only used in revised material that is derived from that former subheading; thus no substantive change results.

(B) ADVERTISING PURPOSES.

"ADVERTISING PURPOSES" MEANS THE PURPOSE OF PROPAGANDIZING IN CONNECTION WITH THE COMMERCIAL:

- (1) SALE OF A PRODUCT;
- (2) OFFERING OF A SERVICE; OR
- (3) EXHIBITION OF ENTERTAINMENT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 416A(a).