

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that, in §§ 11-102 through 11-105 of this subtitle, a violator is subject to either imprisonment or a fine, but not both. In almost every other criminal statute that allows punishment by imprisonment or a fine, a violator may be sentenced to both imprisonment and fine.

SUBTITLE 2. OBSCENE MATTER.

11-201. 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, § 417.

(B) DISTRIBUTE.

"DISTRIBUTE" MEANS TO TRANSFER POSSESSION.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 417(3).

The former phrase "whether with or without consideration" is deleted because it does not limit the transfers that are included in the scope of the definition.

(C) KNOWINGLY.

"KNOWINGLY" MEANS HAVING KNOWLEDGE OF THE CHARACTER AND CONTENT OF THE MATTER.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 417(4).

(D) MATTER.

"MATTER" MEANS:

(1) A BOOK, MAGAZINE, NEWSPAPER, OR OTHER PRINTED OR WRITTEN MATERIAL;

(2) A PICTURE, DRAWING, PHOTOGRAPH, MOTION PICTURE, OR OTHER PICTORIAL REPRESENTATION;

(3) A STATUE OR OTHER FIGURE;

(4) A RECORDING, TRANSCRIPTION, OR MECHANICAL, CHEMICAL, OR ELECTRICAL REPRODUCTION; OR

(5) ANY OTHER ARTICLE, EQUIPMENT, MACHINE, OR MATERIAL.