

in (c)(2) differed in several particulars from the items listed in the defined term. This section, derived from former Art. 27, § 418A, which was enacted by Ch. 382, Acts of 1961, contains a list based on former Art. 27, § 418, which prohibited the preparation, distribution, and importation of lewd, obscene, or indecent books and materials, and which was completely rewritten under Ch. 394 of the Acts of 1967. The one substantive amendment to the § 418A list was the inclusion of "a motion picture film or showing" under Ch. 619, Acts of 1968. The list of "matter" in former Art. 27, § 417, enacted by Ch. 394 of the Acts of 1967, had never been amended. In order to treat the various forms of obscene material in a consistent manner, the General Assembly may wish to reconcile the different lists of obscene material in this subtitle in substantive legislation.

Defined terms: "Distribute" § 11-201

"Knowingly" § 11-201

"Matter" § 11-201

"Person" § 1-101

11-203. SALE OR DISPLAY OF OBSCENE ITEM TO MINOR.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DISTRIBUTE" INCLUDES TO RENT.

(3) "ILLICIT SEX" MEANS:

(I) HUMAN GENITALS IN A STATE OF SEXUAL STIMULATION OR AROUSAL;

(II) ACTS OF HUMAN MASTURBATION, SEXUAL INTERCOURSE, OR SODOMY; OR

(III) FONDLING OR OTHER EROTIC TOUCHING OF HUMAN GENITALS.

(4) "ITEM" MEANS A:

(I) STILL PICTURE OR PHOTOGRAPH;

(II) BOOK, POCKET BOOK, PAMPHLET, OR MAGAZINE;

(III) VIDEODISC, VIDEOTAPE, FILM, OR COMPUTER DISC; OR

(IV) RECORDED TELEPHONE MESSAGE.

(5) "OBSCENE" MEANS:

(I) THAT THE AVERAGE ADULT APPLYING CONTEMPORARY COMMUNITY STANDARDS WOULD FIND THAT THE WORK, TAKEN AS A WHOLE, APPEALS TO THE PRURIENT INTEREST;