

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) FOR A FIRST VIOLATION, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND

(2) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 419 and 424.

In subsection (a)(6) of this section, the term "partially nude figure" is substituted for the former term "nude and partially denuded figures" for accuracy and clarity. By definition, nude figures cannot be covered or clothed.

In subsection (b) of this section, the references to "a minor" are substituted for the former reference to "any person under the age of 18 years".

Also in subsection (b) of this section, the reference to the defined term "item" is substituted for the former reference to "any still picture ... or recorded telephone messages" for consistency and brevity.

In subsection (b)(3) of this section, the reference to "the place of business" is substituted for the former reference to "the newsstand or other place of business" for brevity.

In subsection (d) of this section, the former phrase "unless otherwise provided" is deleted because there are no alternative penalties provided for a violation of this section.

As to the penalty provided in subsection (d) of this section, see General Revisor's Note to subtitle.

In subsection (d)(1) of this section, the qualification "for a first violation" is added for clarity.

Defined terms: "Knowingly" § 11-201

"Person" § 1-101

#### 11-204. OBSCENE PERFORMANCE IN CERTAIN COUNTIES.

##### (A) SCOPE OF SECTION.

THIS SECTION APPLIES ONLY IN ANNE ARUNDEL, CHARLES, HOWARD, SOMERSET, WICOMICO, AND WORCESTER COUNTIES.

##### (B) PROHIBITED.

(1) A PERSON MAY NOT PREPARE, GIVE, DIRECT, PRESENT, PERFORM OR PARTICIPATE IN AN OBSCENE PERFORMANCE, EXHIBITION, DRAMA, PLAY, SHOW, DANCING EXHIBITION, TABLEAU, OR OTHER ENTERTAINMENT IN WHICH INDIVIDUALS PERFORM OR PARTICIPATE LIVE IN AN OBSCENE MANNER IN THE