

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

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Stored – 09/18/08

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – No So-Called Sexual Stimulants For Kids Act**

3 **MC 908-09**

4 FOR the purpose of prohibiting in Montgomery County the sale or offer for sale to  
5 minors of products labeled and marketed as sexual stimulants; requiring  
6 retailers in Montgomery County to display and store certain products in a  
7 certain manner; requiring the Secretary of Health and Mental Hygiene to adopt  
8 certain regulations; establishing certain penalties; and generally relating to the  
9 sale of products marketed as sexual stimulants in Montgomery County.

10 BY adding to

11 Article – Health – General

12 Section 24-304

13 Annotated Code of Maryland

14 (2005 Replacement Volume and 2008 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Health – General**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



18 **24-304.**

19 (A) IN MONTGOMERY COUNTY, A PERSON MAY NOT KNOWINGLY SELL  
20 OR OFFER FOR SALE TO A MINOR A PRODUCT THAT IS LABELED AND MARKETED  
21 AS A SEXUAL STIMULANT.

22 (B) EACH RETAILER IN MONTGOMERY COUNTY THAT SELLS OR OFFERS  
23 FOR SALE PRODUCTS THAT ARE LABELED AND MARKETED AS SEXUAL  
24 STIMULANTS SHALL DISPLAY AND STORE THE PRODUCTS SO THAT THE  
25 PRODUCTS ARE ACCESSIBLE ONLY TO THE RETAILER OR AGENT OR EMPLOYEE  
26 OF THE RETAILER AND ARE OUT OF REACH OF MINORS.

27 (C) THE SECRETARY SHALL:

28 (1) DEFINE PRODUCTS THAT ARE COVERED BY THE PROHIBITION  
29 UNDER SUBSECTION (A) OF THIS SECTION; AND

30 (2) ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

31 (D) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL  
32 PENALTY OF:

33 (1) \$300 FOR A FIRST VIOLATION; AND

34 (2) \$500 FOR A SUBSEQUENT VIOLATION WITHIN A 24-MONTH  
35 PERIOD AFTER THE PREVIOUS VIOLATION.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 October 1, 2009.