

1 *House* BILL NO. *805*
2 INTRODUCED BY *Members - Committee Bill*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE SHOWING
5 BY MOVIE THEATERS OF OFFENSIVE VIOLENT PREVIEWS WHEN MINORS
6 ARE PERMITTED TO ATTEND THE MOVIE THEN BEING FEATURED;
7 AMENDING SECTION 94-8-110.1, R.C.M. 1947."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 94-8-110.1, R.C.M. 1947, is amended
11 to read as follows:

12 *94-8-110.1. Public display of offensive ~~sexual~~
13 material. (1) A person is guilty of public display of
14 offensive sexual material when, with knowledge of its
15 character and content, he displays or permits to be
16 displayed in or on any window, showcase, newsstand, display
17 rack, wall, door, billboard, marquee or similar place, any
18 pictorial, three-dimensional or other visual representation
19 of a person or a portion thereof of the human body that
20 predominantly appeals to prurient interest in sex, and is
21 patently offensive to prevailing standards in the adult
22 community as a whole with respect to what is suitable
23 material for minors, and is utterly without redeeming social
24 importance for minors; and does not

25 (a) separate that material by an opaque structure from

1 other materials displayed, and
2 (b) establish, by official identification, that each
3 person viewing the displayed material is at least eighteen
4 (18) years of age.

5 (2) A theater may not display previews or projections
6 advertising or promoting motion pictures if such previews or
7 projections contain a display of offensive sexual or
8 offensive violent material and if minors are permitted to
9 attend the showing of the motion picture then being
10 featured.

11 ~~(3) For purposes of this section, "offensive violent~~
12 ~~material" means material which is so violent as to be~~
13 ~~patently offensive to prevailing standards in the adult~~
14 ~~community as a whole with respect to what is suitable~~
15 ~~material for minors.~~

16 ~~(3)(4)~~ A drive-in movie screen may not display any
17 material prohibited by this section in such manner that the
18 display is easily visible from any public street, sidewalk,
19 thoroughfare or transportation facility.

20 ~~(4)(5)~~ A person convicted of the public display of
21 offensive sexual material or convicted of otherwise
22 violating this section shall be fined at least five hundred
23 dollars (\$500) but not more than one thousand dollars
24 (\$1,000), or imprisoned in the county jail for a term not to
25 exceed six (6) months, or both."

HB 805

Approved by Committee
on Public Health, Welfare
& Safety

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2 INTRODUCED BY *Menahan - Committee Bill*

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THIRD READING

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-End-
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HB805

1 HOUSE BILL NO. 805

2 INTRODUCED BY MENAHAN -- COMMITTEE BILL

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HB 0805/02

-End-

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HB 805