
**By: Delegates Harkins, Brinkley, M. Burns, Edwards, Fry, Getty, Hutchins, Owings,
Poole, Preis, Bonsack, Stup, and Jacobs**

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Firearms - Drug Trafficking Crimes - Penalties**

3 FOR the purpose of altering certain maximum and minimum terms of imprisonment for
4 first-time and repeat offenders who are convicted of possessing, using, wearing,
5 carrying, or transporting a firearm during and in relation to a drugtrafficking crime;
6 and generally relating to penalties for possessing a firearm during a drug trafficking
7 crime.

8 BY repealing and reenacting, with amendments,
9 Article 27 - Crimes and Punishments
10 Section 281A(b)
11 Annotated Code of Maryland
12 (1992 Replacement Volume and 1995 Supplement)

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

15 **Article 27 - Crimes and Punishments**

16 281A.

17 (b) During and in relation to any drug trafficking crime, a person who uses, wears,
18 carries, or transports a firearm is guilty of a separate felony and on conviction shall, in
19 addition to the sentence provided for the drug trafficking crime, be sentenced as follows:

20 (1) (i) For a first offense, for a term of not less than 5 nor more than
21 [20] 25 years.

22 (ii) It is mandatory upon the court to impose no less than the
23 minimum sentence of 5 years, no part of which may be suspended and the person may not
24 be eligible for parole except in accordance with the provisions of Article 31B, § 11 of the
25 Code; and

26 (2) (i) For a second or subsequent offense, for a term of not less than
27 [10] 15 nor more than [20] 25 years.

28 (ii) It is mandatory upon the court to impose no less than a minimum
29 consecutive sentence of 10 years, no part of which may be suspended and the person may

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1 not be eligible for parole except in accordance with the provisions of Article 31B, § 11 of
2 the Code.

3 (iii) The sentence shall be served consecutively and not concurrently to
4 any other sentence imposed by virtue of the commission of the drug trafficking crime.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1996.