
By: Delegates Ports and Redmer

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Controlled Dangerous Substances - Minors - Mandatory Penalties**

3 FOR the purpose of establishing a certain mandatory minimum penalty and a maximum
4 penalty for a person convicted of using a minor to commit certain controlled
5 dangerous substance offenses; specifying that neither the sentence nor any part of it
6 may be suspended; establishing that a person convicted of an offense under this Act
7 is ineligible for parole during the minimum term of imprisonment except under
8 certain circumstances; making a certain stylistic change; and generally relating to
9 the penalties for using a minor to commit certain controlled dangerous substance
10 offenses.

11 BY repealing and reenacting, with amendments,
12 Article 27 - Crimes and Punishments
13 Section 286C
14 Annotated Code of Maryland
15 (1992 Replacement Volume and 1995 Supplement)

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

18 **Article 27 - Crimes and Punishments**

19 286C.

20 (a) A person may not hire, solicit, engage, or use a minor, in any manner, for the
21 purpose of manufacturing, distributing, or delivering, on behalf of that person, any
22 controlled dangerous substance in sufficient quantity to reasonably indicate under all the
23 circumstances an intent to distribute, unless the manufacturing, delivery, or distribution
24 has a lawful purpose.

25 (b) Any person who violates this section is guilty of a felony and [upon] ON
26 conviction[, shall be sentenced to imprisonment for up to 20 years, or fined up to \$20,000,
27 or both] SHALL BE SENTENCED TO IMPRISONMENT FOR A TERM OF NOT LESS THAN
28 10 YEARS AND NOT MORE THAN 20 YEARS OR FINED NOT MORE THAN \$20,000 OR
29 BOTH, AND:

HOUSE BILL 872

2

1 (1) IT IS MANDATORY FOR THE COURT TO IMPOSE NO LESS THAN THE
2 MINIMUM SENTENCE OF 10 YEARS' IMPRISONMENT OR THE MINIMUM FINE OF
3 \$20,000;

4 (2) NEITHER THE SENTENCE NOR ANY PART OF IT MAY BE SUSPENDED;
5 AND

6 (3) EXCEPT AS OTHERWISE PROVIDED IN ARTICLE 31B, § 11 OF THE
7 CODE, THE PERSON IS NOT ELIGIBLE FOR PAROLE UNTIL THE PERSON HAS SERVED
8 AT LEAST 5 YEARS.

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