
By: **Delegate Hutchins**

Introduced and read first time: February 10, 1999

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Enhanced Sentences - Controlled Dangerous**
3 **Substances**

4 FOR the purpose of allowing certain enhanced sentences for second or subsequent
5 controlled dangerous substance offenses to be imposed in conjunction with other
6 sentences for controlled dangerous substance offenses; prohibiting the
7 imposition of enhanced sentences in conjunction with a certain type of sentence;
8 and generally relating to the imposition of enhanced sentences for second or
9 subsequent controlled dangerous substance offenses.

10 BY repealing and reenacting, with amendments,
11 Article 27 - Crimes and Punishments
12 Section 293
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1998 Supplement)

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

17 **Article 27 - Crimes and Punishments**

18 293.

19 (a) Any person convicted of any offense under this subheading is, if the offense
20 is a second or subsequent offense, punishable by a term of imprisonment twice that
21 otherwise authorized, by twice the fine otherwise authorized, or by both.

22 (b) For purposes of this section, an offense shall be considered a second or
23 subsequent offense, if, prior to the conviction of the offense, the offender has at any
24 time been convicted of any offense or offenses under this subheading or under any
25 prior law of this State or any law of the United States or of any other state relating to
26 the other controlled dangerous substances as defined in this subheading.

1 (c) Any person convicted of a second or subsequent offense under any law
2 superseded by this subheading shall be eligible for parole, probation, and suspension
3 of sentence in the same manner as those persons convicted under this subheading.

4 (D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
5 SENTENCE ON A SINGLE COUNT UNDER THIS SECTION MAY BE IMPOSED IN
6 CONJUNCTION WITH OTHER SENTENCES CONTAINED IN THIS SUBHEADING.

7 (2) A SENTENCE ON A SINGLE COUNT UNDER THIS SECTION MAY NOT BE
8 IMPOSED IN CONJUNCTION WITH A SENTENCING PROVISION THAT CONTAINS A
9 MANDATORY MINIMUM SENTENCE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1999.