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By: **Senator Stone**

Introduced and read first time: February 5, 1999

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 9, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Crimes - Controlled Dangerous Substances - Sentencing of Second and**  
3 **Subsequent Offenders**

4 FOR the purpose of providing that a sentence for certain persons convicted of second  
5 or subsequent controlled dangerous substance offenses may be imposed in  
6 conjunction with certain other sentencing provisions under certain  
7 circumstances; and generally relating to sentencing second and subsequent  
8 controlled dangerous substance offenders.

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

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

16 **Article 27 - Crimes and Punishments**

17 293.

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

21 (b) For purposes of this section, an offense shall be considered a second or  
22 subsequent offense, if, prior to the conviction of the offense, the offender has at any

1 time been convicted of any offense or offenses under this subheading or under any  
2 prior law of this State or any law of the United States or of any other state relating to  
3 the other controlled dangerous substances as defined in this subheading.

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5 superseded by this subheading shall be eligible for parole, probation, and suspension  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

7 (D) UNLESS THE SENTENCING PROVISIONS SET FORTH MANDATORY  
8 MINIMUM SENTENCES, THE SENTENCE UNDER THIS SECTION ON A SINGLE COUNT  
9 MAY BE IMPOSED IN CONJUNCTION WITH OTHER SENTENCING PROVISIONS  
10 CONTAINED IN THIS SUBHEADING.

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