

Approved May 15, 1984.

CHAPTER 449

(House Bill 863)

AN ACT concerning

Controlled Dangerous Substances - Penalties

FOR the purpose of establishing sentences for violations involving certain controlled dangerous substances; ~~altering certain provisions of law relating to mandatory sentences for persons who have prior controlled dangerous substances convictions;~~ and generally relating to sentencing for such controlled dangerous substances violations.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section ~~286(b)~~ 286(b)(2)
Annotated Code of Maryland
(1982 Replacement Volume and 1983 Supplement)

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

Article 27 - Crimes and Punishments

286.

(b) Any person who violates any of the provisions of subsection (a) with respect to:

~~(1) A substance classified in Schedules I or II which is a narcotic drug is guilty of a felony and is subject to imprisonment for not more than 20 years, or a fine of not more than \$25,000, or both. Any person who has previously been convicted under this paragraph SECTION shall be sentenced to imprisonment for not less than 10 years. Neither the sentence nor any part of it may be suspended, and the person shall not be eligible for parole except in accordance with Article 31B, § 11. This subsection does not prevent, prohibit or make ineligible any convicted defendant from participating in the rehabilitation program under Title 9, Subtitle 6 of the Health General Article, because of the length of sentence.~~

(2) Phencyclidine, 1-(1-PHENYLCYCLOHEXYL) PIPERIDINE, 1-PHENYLCYCLOHEXYLAMINE, OR 1-PIPERIDINOCYCLOHEXANECARBONITRILE, classified in Schedule II, OR N-ETHYL-1-PHENYLCYCLOHEXYLAMINE, 1-(1-PHENYLCYCLOHEXYL)-PYRROLIDINE, OR 1-(1-(2-THIENYL)-