

Senate Bill 547, which was passed by the General Assembly and signed by me on May 27, 1986, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 755.

Sincerely,
Harry Hughes
Governor

House Bill No. 755

AN ACT concerning

Controlled Dangerous Substances - Sentencing

FOR the purpose of allowing any excess portion over the mandatory sentencing requirements imposed against a previously convicted felon for violation of the controlled dangerous substance laws to be suspended at the discretion of the judge; and generally relating to sentencing for violations of controlled dangerous substance laws.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 286(b)
Annotated Code of Maryland
(1982 Replacement Volume and 1985 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 shall be sentenced to imprisonment for not less than 10 years, ANY PERIOD OF INCARCERATION WHICH IS IN EXCESS OF 10 YEARS MAY BE SUSPENDED. HOWEVER, [Neither] NEITHER the MANDATORY MINIMUM 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.