

commission of certain crimes from being eligible for parole in less than a certain period of time; providing for a certain exception; and generally relating to parole eligibility for certain offenses.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 36B(d)
Annotated Code of Maryland
(1982 Replacement Volume and 1987 Supplement)

BY repealing and reenacting, without amendments,

Article 31B - Patuxent Institution
Section 11
Annotated Code of Maryland
(1986 Replacement Volume and 1987 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

36B.

(d) Any person who shall use a handgun or an antique firearm capable of being concealed on the person in the commission of any felony or any crime of violence as defined in § 441 of this article, shall be guilty of a separate misdemeanor and on conviction thereof shall, in addition to any other sentence imposed by virtue of commission of said felony or misdemeanor:

(1) For a first offense, be sentenced to the Maryland Division of Correction for a term of not less than 5 nor more than 20 years, and [it]:

(I) IT is mandatory upon the court to impose no less than the minimum sentence of 5 years[.]; AND

(II) EXCEPT AS OTHERWISE PROVIDED IN ARTICLE 31B, § 11 OF THE CODE, THE PERSON IS NOT ELIGIBLE FOR PAROLE IN LESS THAN 5 YEARS; AND

(2) For a second or subsequent offense, be sentenced to the Maryland Division of Correction for a term of not less than 5 nor more than 20 years, and it is mandatory upon the court to impose no less than a minimum consecutive sentence of 5 years which shall be served consecutively and not concurrently to any