

felony and is subject to imprisonment for not more than 20 years, or a fine of not more than \$20,000, or both. [Any person who has previously been convicted under this paragraph shall be sentenced to imprisonment for not less than 10 years. The prison sentence of a person sentenced under this paragraph as a repeat offender may not be suspended to less than 10 years, and the person may be paroled during that period only in accordance with Article 31B, § 11 of the Code.]

(3) Any other controlled dangerous substance classified in Schedule I, II, III, IV, or V shall, upon conviction, be deemed guilty of a felony and sentenced to a term of imprisonment for not more than 5 years or a fine of not more than \$15,000, or both. Any person who has previously been convicted under this paragraph shall be sentenced to imprisonment for not less than 2 years. The prison sentence of a person sentenced under this paragraph as a repeat offender may not be suspended to less than 2 years, and the person may be paroled during that period only in accordance with Article 31B, § 11 of the Code.

(C) (1) ANY PERSON WHO HAS PREVIOUSLY BEEN CONVICTED UNDER SUBSECTION (B)(1) OR SUBSECTION (B)(2) OF THIS SECTION SHALL BE SENTENCED, ON BEING CONVICTED A SECOND TIME UNDER EITHER SUBSECTION (B)(1) OR SUBSECTION (B)(2) OF THIS SECTION, TO IMPRISONMENT FOR NOT LESS THAN 10 YEARS.

(2) THE PRISON SENTENCE OF A PERSON SENTENCED UNDER SUBSECTION (B)(1) OR SUBSECTION (B)(2) OF THIS SECTION, OR A COMBINATION OF EITHER, AS A SECOND OFFENDER MAY NOT BE SUSPENDED TO LESS THAN 10 YEARS, AND THE PERSON MAY BE PAROLED DURING THAT PERIOD ONLY IN ACCORDANCE WITH ARTICLE 31B, § 11 OF THE CODE.

(3) THIS SUBSECTION DOES NOT PREVENT, PROHIBIT, OR MAKE INELIGIBLE A CONVICTED DEFENDANT FROM PARTICIPATING IN THE REHABILITATION PROGRAM UNDER TITLE 9, SUBTITLE 6 OF THE HEALTH - GENERAL ARTICLE, BECAUSE OF THE LENGTH OF SENTENCE, IF IMPOSED UNDER SUBSECTION (B)(1) OF THIS SECTION.

(D) (1) ANY PERSON WHO HAS BEEN CONVICTED ON 2 SEPARATE OCCASIONS UNDER SUBSECTION (B)(1) OR SUBSECTION (B)(2) OF THIS SECTION OR A COMBINATION OF EITHER, WHERE THE CONVICTIONS DO NOT ARISE FROM A SINGLE INCIDENT, AND WHO HAS SERVED AT LEAST 1 TERM OF CONFINEMENT OF AT LEAST 180 DAYS IN A CORRECTIONAL INSTITUTION AS A RESULT OF A CONVICTION OF A PREVIOUS VIOLATION OF § 286 OR § 286A OF THIS ARTICLE, SHALL BE SENTENCED, ON BEING CONVICTED A THIRD TIME UNDER SUBSECTION (B)(1) OR SUBSECTION (B)(2) OF THIS SECTION OR A COMBINATION OF EITHER, TO IMPRISONMENT FOR THE TERM ALLOWED BY LAW, BUT, IN ANY EVENT, NOT LESS THAN 25 YEARS.

(2) NEITHER THE SENTENCE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION NOR ANY PART OF IT MAY BE SUSPENDED, AND THE