

(e) Notwithstanding any other provision of law to the contrary, including the provisions of § 643 of this article, (1) except with respect to a sentence prescribed in subsection (b)(i) [hereof] OF THIS SECTION, no court shall enter a judgment for less than the mandatory minimum sentence prescribed in this subheading in those cases for which a mandatory minimum sentence is specified in this subheading; (2) except with respect to a sentence prescribed in subsection (b)(i) [hereof] OF THIS SECTION, no court shall suspend a mandatory minimum sentence prescribed in this subheading; (3) except with respect to a sentence prescribed in subsection (b)(i) [hereof] OF THIS SECTION for wearing, carrying, or transporting a handgun in violation of § 36B other than on public school property, no court shall enter a judgment of probation before or without verdict with respect to any case arising under this subheading; and (4) except with respect to a sentence prescribed in subsection (b)(i) [hereof] OF THIS SECTION no court shall enter a judgment of probation after verdict with respect to any case arising under this subheading which would have the effect of reducing the actual period of imprisonment prescribed in this subheading as a mandatory minimum sentence.

DRAFTER'S NOTE:

Error: Stylistic errors in Article 27, § 36B(b)(iv) and (e).

Occurred: Ch. 13, Acts of 1972.

36C.

(c) (1) Upon the seizure of a handgun pursuant to this section, the seizing authority shall attempt to ascertain and locate its owner by whatever inquiry and investigation is considered appropriate. If, as a result of an inquiry or investigation, the name and address of the reputed owner of the handgun is ascertained and the owner is a nonresident of Maryland, the seizing authority shall notify the appropriate law-enforcement agency of the jurisdiction of which the owner is a resident and forward the handgun to that agency for disposition if the handgun is not needed for investigation or evidence or disposed of under PARAGRAPH (4) OF THIS SECTION SUBSECTION. If the owner is a resident of the State the seizing authority may return the handgun to the owner. If the seizing authority does not return the handgun, it shall promptly notify the owner that he may apply within 30 days to the seizing authority for a review to determine whether the owner knew or should have known that the handgun was worn, carried, transported or used in violation of § 36B, and whether the owner is qualified to possess it. Qualification for possession is the same as for sale or transfer under § 442 of this article. Knowingly giving false information or making a material misstatement in the application for review