

(5) To keep or maintain any common nuisance which means any dwelling house, apartment, building, vehicle, vessel, aircraft, or any place whatever which is resorted to by drug abusers for purposes of illegally administering controlled dangerous substances or which is used for the illegal manufacture, distribution, dispensing, storage or concealment of controlled dangerous substances or controlled paraphernalia, as defined in § 287(d) of this subheading; OR

(6) TO POSSESS, PASS, UTTER, MAKE, OR MANUFACTURE A FALSE, FORGED, OR ALTERED PRESCRIPTION OR PRESCRIPTIONS FOR A CONTROLLED DANGEROUS SUBSTANCE WITH THE INTENT TO DISTRIBUTE THE CONTROLLED DANGEROUS SUBSTANCE. INFORMATION COMMUNICATED TO AN AUTHORIZED PRESCRIBER IN AN EFFORT TO OBTAIN A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF THE PROVISIONS OF THIS ITEM SHALL NOT BE DEEMED A PRIVILEGED COMMUNICATION.

(b) Any person who violates any of the provisions of subsection (a) of this section 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.

(2) Phencyclidine, 1-(1-phenylcyclohexyl) piperidine, 1-phenylcyclohexylamine, or 1-piperidinocyclohexanecarbonitrile, classified in Schedule II, or n-ethyl-1-phenylcyclohexylamine, 1-(1-phenylcyclohexyl)-pyrrolidine, 1-(1-(2-thienyl)-cyclohexyl)-piperidine, or lysergic acid diethylamide, classified in Schedule I, is guilty of a felony and is subject to imprisonment for not more than 20 years, or a fine of not more than \$20,000, or both.

(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) A person who is convicted under subsection (b)(1) or subsection (b)(2) of this section, or of conspiracy to violate subsection (b)(1) or (b)(2) of this section shall be sentenced to imprisonment for not less than 10 years if the person previously has been convicted:

(i) Under subsection (b)(1) or subsection (b)(2) of this section;

(ii) Of conspiracy to violate subsection (b)(1) or subsection (b)(2) of this section; or

(iii) Of an offense under the laws of another state, the District of Columbia, or the United States that would be a violation of subsection (b)(1) or subsection (b)(2) of this section if committed in this State.