

(3) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS OR BOTH.

(F) (1) (I) A PERSON MAY NOT DELIVER A CONTROLLED DANGEROUS SUBSTANCE TO A PERSON DETAINED OR CONFINED IN A PLACE OF CONFINEMENT.

(II) A PERSON MAY NOT POSSESS A CONTROLLED DANGEROUS SUBSTANCE WITH INTENT TO DELIVER TO A PERSON DETAINED OR CONFINED IN A PLACE OF CONFINEMENT.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 3 YEARS OR BOTH.

(G) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY OFFENSE BASED ON THE ACT ESTABLISHING THE OFFENSE UNDER THIS SECTION.

COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): This section is based on former Art. 27, § 122A.

139.

(A) A SENTENCE IMPOSED FOR A VIOLATION OF § 137 OR § 137A OF THIS SUBHEADING:

(1) SHALL BE CONSECUTIVE TO ANY TERM OF CONFINEMENT BEING SERVED OR TO BE SERVED AT THE TIME OF THE ESCAPE;

(2) MAY NOT BE SUSPENDED; AND

(3) MAY INCLUDE THE ENTRY OF A JUDGMENT FOR ALL REASONABLE EXPENSES INCURRED IN RETURNING THE PERSON TO THE PLACE OF CONFINEMENT, PROVIDED THAT THE DEFENDANT HAS RECEIVED TIMELY NOTICE OF AND AN OPPORTUNITY TO CONTEST THE ACCURACY OF THE EXPENSES ALLEGEDLY OWED.

(B) VOLUNTARY INTOXICATION IS NOT A DEFENSE TO A CHARGE OF ESCAPE UNDER THIS SUBHEADING.

372.

"Machine gun" as used in this subtitle, means a weapon, of any description, by whatever name known, loaded or unloaded, from which more than one shot or bullet may be automatically discharged from a magazine, by a single function of the firing device.

"Crime of violence" applies to and includes any of the following crimes or an attempt to commit any of the same, namely, murder of any degree, manslaughter, kidnapping, rape in any degree, assault in the first degree, robbery, burglary in any degree, ESCAPE IN THE FIRST DEGREE, and theft.

"Person" applies to and includes firm, partnership, association, or corporation.