

(2) Neither the sentence required under paragraph (1) of this subsection nor any part of it may be suspended, and the person may not be eligible for parole except in accordance with § 4-305 of the Correctional Services Article.

(3) A separate occasion shall be considered one in which the second or succeeding offense is committed after there has been a charging document filed for the preceding offense.

(e) (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 subsection (b)(2) of this section shall be sentenced to imprisonment for the term allowed by law, but in any event, not less than 40 years and subject to a fine not exceeding \$100,000 if the person previously has served 3 separate terms of confinement as a result of 3 separate convictions:

- (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;
- (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; or
- (iv) Of any combination of these offenses.

(2) Neither the sentence required under paragraph (1) of this subsection nor any part of it may be suspended, and the person may not be eligible for parole except in accordance with § 4-305 of the Correctional Services Article.

(f) (1) If a person violates subsection (a)(1) of this section and the violation involves any of the following controlled dangerous substances, in the amounts indicated, the person is subject to the penalties provided in paragraph (3) of this subsection upon conviction:

- (i) 50 pounds or more of marijuana;
- (ii) 448 grams or more of cocaine or 448 grams or more of any mixture containing a detectable amount of cocaine;
- (iii) 50 grams or more of cocaine base, commonly known as "crack";
- (iv) 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium or any mixture containing 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;
- (v) 1,000 dosage units of lysergic acid diethylamide or any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;
- (vi) 16 ounces or more of phencyclidine in liquid form or 448 grams or more of any mixture containing phencyclidine; ~~for~~