

(II) THE COURT MAY NOT IMPOSE LESS THAN THE MINIMUM SENTENCE OF 5 YEARS AND, EXCEPT AS OTHERWISE PROVIDED IN § 4-305 OF THE CORRECTIONAL SERVICES ARTICLE, THE PERSON IS NOT ELIGIBLE FOR PAROLE IN LESS THAN 5 YEARS.

(2) FOR EACH SUBSEQUENT VIOLATION, THE SENTENCE SHALL BE CONSECUTIVE TO AND NOT CONCURRENT WITH ANY OTHER SENTENCE IMPOSED FOR THE CRIME OF VIOLENCE OR FELONY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36B(d).

In subsection (b)(1)(i) and (2) of this section, the references to the "crime of violence" are substituted for the former references to the "misdemeanor" because only a misdemeanor that is a crime of violence qualifies for a conviction under this section.

In subsection (b)(1)(i) of this section, the reference to any other "penalty" imposed is substituted for the former reference to any other "sentence" imposed for clarity because the term "penalty" encompasses not only a sentence of imprisonment that may be imposed for the underlying crime, but also a fine.

Also in subsection (b)(1)(i) of this section, the former reference to a "separate" misdemeanor is deleted as surplusage.

In subsection (b)(2) of this section, the reference to "each" subsequent violation is substituted for the former reference to "a second or" subsequent offense for consistency within this article.

Also in subsection (b)(2) of this section, the reference to a subsequent "violation" is substituted for the former reference to a subsequent "offense" for consistency within this article. See General Revisor's Note to article.

Defined terms: "Antique firearm" § 4-201
"Handgun" § 4-201
"Person" § 1-101

4-205. OTHER LIMITATIONS ON SENTENCING.

(A) REDUCTION OR SUSPENSION OF MANDATORY MINIMUM SENTENCE.

NOTWITHSTANDING § 14-102 OF THIS ARTICLE OR ANY OTHER PROVISION OF LAW, EXCEPT WITH RESPECT TO A SENTENCE PRESCRIBED IN § 4-203(C)(2) OF THIS SUBTITLE, A COURT MAY NOT:

(1) ENTER A JUDGMENT FOR LESS THAN THE MANDATORY MINIMUM SENTENCE PRESCRIBED IN § 4-203 OR § 4-204 OF THIS SUBTITLE IN A CASE IN WHICH A MANDATORY MINIMUM SENTENCE IS SPECIFIED UNDER § 4-203 OR § 4-204 OF THIS SUBTITLE; OR

(2) SUSPEND A MANDATORY MINIMUM SENTENCE PRESCRIBED IN § 4-203 OR § 4-204 OF THIS SUBTITLE.