

(C) THIRD TIME OFFENDER

(1) A PERSON WHO IS CONVICTED UNDER SUBSECTION (A) OF THIS SECTION OR OF CONSPIRACY TO COMMIT A CRIME INCLUDED IN SUBSECTION (A) OF THIS SECTION SHALL BE SENTENCED TO IMPRISONMENT FOR NOT LESS THAN 25 YEARS AND IS SUBJECT TO A FINE NOT EXCEEDING \$100,000 IF THE PERSON PREVIOUSLY:

(I) HAS SERVED AT LEAST ONE TERM OF CONFINEMENT OF AT LEAST 180 DAYS IN A CORRECTIONAL INSTITUTION AS A RESULT OF A CONVICTION UNDER SUBSECTION (A) OF THIS SECTION OR § 5-614 OF THIS SUBTITLE; AND

(II) HAS BEEN CONVICTED TWICE, IF THE CONVICTIONS ARISE FROM SEPARATE OCCASIONS:

1. UNDER SUBSECTION (A) OF THIS SECTION;
2. OF CONSPIRACY TO COMMIT A CRIME INCLUDED IN SUBSECTION (A) OF THIS SECTION;
3. OF A CRIME UNDER THE LAWS OF ANOTHER STATE OR THE UNITED STATES THAT WOULD BE A CRIME INCLUDED IN SUBSECTION (A) OF THIS SECTION IF COMMITTED IN THIS STATE; OR
4. OF ANY COMBINATION OF THESE CRIMES.

(2) THE COURT MAY NOT SUSPEND ANY PART OF THE MANDATORY MINIMUM SENTENCE OF 25 YEARS.

(3) EXCEPT AS PROVIDED IN § 4-305 OF THE CORRECTIONAL SERVICES ARTICLE, THE PERSON IS NOT ELIGIBLE FOR PAROLE DURING THE MANDATORY MINIMUM SENTENCE.

(4) A SEPARATE OCCASION IS ONE IN WHICH THE SECOND OR SUCCEEDING CRIME IS COMMITTED AFTER THERE HAS BEEN A CHARGING DOCUMENT FILED FOR THE PRECEDING CRIME.

(D) FOURTH TIME OFFENDER

(1) A PERSON WHO IS CONVICTED UNDER SUBSECTION (A) OF THIS SECTION OR OF CONSPIRACY TO COMMIT A CRIME INCLUDED IN SUBSECTION (A) OF THIS SECTION SHALL BE SENTENCED TO IMPRISONMENT FOR NOT LESS THAN 40 YEARS AND IS SUBJECT TO A FINE NOT EXCEEDING \$100,000 IF THE PERSON PREVIOUSLY HAS SERVED THREE OR MORE SEPARATE TERMS OF CONFINEMENT AS A RESULT OF THREE OR MORE SEPARATE CONVICTIONS:

(I) UNDER SUBSECTION (A) OF THIS SECTION;

(II) OF CONSPIRACY TO COMMIT A CRIME INCLUDED IN SUBSECTION (A) OF THIS SECTION;