

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PERSON WHO VIOLATES A PROVISION OF §§ 5-602 THROUGH 5-606 OF THIS SUBTITLE WITH RESPECT TO ANY OF THE FOLLOWING CONTROLLED DANGEROUS SUBSTANCES IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE NOT EXCEEDING \$20,000 OR BOTH:

- (1) PHENCYCLIDINE;
- (2) 1-(1-PHENYLCYCLOHEXYL) PIPERIDINE;
- (3) 1-PHENYLCYCLOHEXYLAMINE;
- (4) 1-PIPERIDINOCYCLOHEXANECARBONITRILE;
- (5) N-ETHYL-1-PHENYLCYCLOHEXYLAMINE;
- (6) 1-(1-PHENYLCYCLOHEXYL)-PYRROLIDINE;
- (7) 1-(1-(2-THIENYL)-CYCLOHEXYL)-PIPERIDINE;
- (8) LYSERGIC ACID DIETHYLAMIDE; OR
- (9) 750 GRAMS OR MORE OF 3, 4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA).

(B) SECOND 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 10 YEARS AND IS SUBJECT TO A FINE NOT EXCEEDING \$100,000 IF THE PERSON PREVIOUSLY HAS BEEN CONVICTED ONCE:

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

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

(III) 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

(IV) OF ANY COMBINATION OF THESE CRIMES.

(2) THE COURT MAY NOT SUSPEND THE MANDATORY MINIMUM SENTENCE TO LESS THAN 10 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.

(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