

(1) POSSESS A FIREARM UNDER SUFFICIENT CIRCUMSTANCES TO CONSTITUTE A NEXUS TO THE DRUG TRAFFICKING CRIME; OR

(2) USE, WEAR, CARRY, OR TRANSPORT A FIREARM.

(C) PENALTY.

(1) IN ADDITION TO THE SENTENCE PROVIDED FOR THE DRUG TRAFFICKING CRIME, A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO:

(I) FOR A FIRST VIOLATION, IMPRISONMENT FOR NOT LESS THAN 5 YEARS AND NOT EXCEEDING 20 YEARS; OR

(II) FOR EACH SUBSEQUENT VIOLATION, IMPRISONMENT FOR NOT LESS THAN 10 YEARS AND NOT EXCEEDING 20 YEARS.

(2) (I) THE COURT SHALL IMPOSE A MINIMUM SENTENCE OF 5 YEARS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

(II) THE COURT SHALL IMPOSE A MINIMUM SENTENCE OF 10 YEARS UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION.

(3) (I) A COURT MAY NOT SUSPEND ANY PART OF A MANDATORY MINIMUM SENTENCE.

(II) EXCEPT AS PROVIDED IN § 4-305 OF THE CORRECTIONAL SERVICES ARTICLE, A PERSON SENTENCED UNDER THIS SUBSECTION IS NOT ELIGIBLE FOR PAROLE.

(III) A SENTENCE IMPOSED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE CONSECUTIVE TO AND NOT CONCURRENT WITH ANY OTHER SENTENCE IMPOSED BY VIRTUE OF THE COMMISSION OF THE DRUG TRAFFICKING CRIME.

(D) ENHANCED SENTENCE.

(1) (I) IN THIS SUBSECTION, "FIREARM SILENCER" MEANS A DEVICE THAT IS DESIGNED FOR SILENCING, MUFFLING, OR DIMINISHING THE REPORT OF A FIREARM.

(II) "FIREARM SILENCER" INCLUDES A COMBINATION OF PARTS DESIGNED, REDESIGNED, OR INTENDED FOR USE IN ASSEMBLING OR FABRICATING A FIREARM SILENCER OR MUFFLER.

(2) A COURT SHALL DOUBLE THE MINIMUM MANDATORY SENTENCE PROVIDED IN SUBSECTION (C)(1)(II) OF THIS SECTION IF THE FIREARM USED DURING AND IN RELATION TO A DRUG TRAFFICKING CRIME IS:

(I) LISTED IN § 4-301 OF THIS ARTICLE OR ARTICLE 27, § 441 OF THE CODE;

(II) A MACHINE GUN; OR