

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

~~(III) THE PERSON IS NOT ELIGIBLE FOR PAROLE DURING THE MANDATORY MINIMUM SENTENCE.~~

~~(IV) IF THE STATE FAILS TO COMPLY WITH SUBSECTION (D) OF THIS SECTION, THE MANDATORY MINIMUM SENTENCE SHALL NOT APPLY.~~

~~(D) IF THE STATE INTENDS TO SEEK A SENTENCE OF IMPRISONMENT FOR NOT LESS THAN 2 YEARS UNDER SUBSECTION (C)(2) OF THIS SECTION, THE STATE SHALL NOTIFY THE PERSON IN WRITING OF THE STATE'S INTENTION AT LEAST 30 DAYS BEFORE TRIAL.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

Approved by the Governor, May 17, 2007.

CHAPTER 496

(House Bill 713)

AN ACT concerning

Maryland Gang Prosecution Act of 2007

FOR the purpose of prohibiting a person from participating in a certain criminal gang knowing that the members of the gang engage in ~~or have engaged in~~ a certain pattern of criminal gang activity; prohibiting a person from knowingly and willfully promoting, furthering, or assisting in a directing or participating in a certain criminal offense committed for the benefit of, at the direction of, or in association with a criminal gang; prohibiting a person from committing a violation of this Act involving the commission of an offense that results in the death of the victim; establishing penalties for a violation of this Act; establishing that a sentence imposed under this Act may be separate from and consecutive to or concurrent with a sentence for a crime based on the act establishing a violation of this Act; providing that a defendant may only be charged with a violation under this Act by indictment, criminal information, or a petition alleging a delinquent act; authorizing the Attorney General, ~~with the~~