

(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) ¶(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. ~~IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 40 YEARS OR A FINE NOT EXCEEDING \$100,000 OR BOTH~~ if the person previously has served three or more separate terms of confinement as a result of three or more separate convictions:

¶(i) ~~(1)~~ under subsection (a) of this section or § 5-609 of this subtitle;

¶(ii) ~~(2)~~ of conspiracy to commit a crime included in subsection (a) of this section or § 5-609 of this subtitle;

¶(iii) ~~(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 or § 5-609 of this subtitle if committed in this State; or

¶(iv) ~~(4)~~ of any combination of these crimes.

¶(2) The court may not suspend any part of the mandatory minimum sentence of 40 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.¶

~~(E) A PERSON CONVICTED UNDER SUBSECTION (A) OF THIS SECTION OR OF CONSPIRACY TO COMMIT A CRIME INCLUDED IN SUBSECTION (A) OF THIS SECTION IS NOT PROHIBITED FROM PARTICIPATING IN A DRUG TREATMENT PROGRAM UNDER § 8-507 OF THE HEALTH GENERAL ARTICLE BECAUSE OF THE LENGTH OF THE SENTENCE.~~

~~(F) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A PERSON WHO IS SERVING A TERM OF CONFINEMENT THAT INCLUDES A MANDATORY MINIMUM SENTENCE~~