

Provides that enhanced penalty for drug distribution is available only for those also convicted of "crime of violence." – CL Art., sec. 5-905.

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amine.

(b) For the purpose of determining the quantity of a controlled dangerous substance involved in individual acts of manufacturing, distributing, dispensing, or possessing under subsection (a) of this section, the acts may be aggregated if each of the acts occurred within a 90-day period.

(c) (1) A person who is convicted of a violation of subsection (a) of this section shall be sentenced to imprisonment for not less than 5 years and is subject to a fine not exceeding \$100,000.

(2) The court may not suspend any part of the mandatory minimum sentence of 5 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.

**5-905.**

(a) **[A] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A person convicted of a subsequent crime under this title is subject to:**

(1) a term of imprisonment twice that otherwise authorized;

(2) twice the fine otherwise authorized; or

(3) both.

(b) For purposes of this section, a crime is considered a subsequent crime, if, before the conviction for the crime, the offender has ever been convicted of a crime under this title or under any law of the United States or of this or another state relating to other controlled dangerous substances.

(c) A person convicted of a subsequent crime under a law superseded by this title is eligible for parole, probation, and suspension of sentence in the same manner as those persons convicted under this title.

(d) A sentence on a single count under this section may be imposed in conjunction with other sentences under this title.

1           **(E) A PERSON WHOSE PRIOR AND SUBSEQUENT CONVICTIONS WERE FOR A**  
2 **VIOLATION OF § 5-601, § 5-602, § 5-603, § 5-604, § 5-605, OR § 5-606 OF THIS TITLE**  
3 **IS SUBJECT TO THIS SECTION ONLY IF THE PERSON WAS ALSO PREVIOUSLY**  
4 **CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THIS ARTICLE.**

5 7-104.

6           (a) A person may not willfully or knowingly obtain or exert unauthorized control  
7 over property, if the person:

8                   (1) intends to deprive the owner of the property;

9                   (2) willfully or knowingly uses, conceals, or abandons the property in a  
10 manner that deprives the owner of the property; or

11                   (3) uses, conceals, or abandons the property knowing the use, concealment,  
12 or abandonment probably will deprive the owner of the property.

13           (b) A person may not obtain control over property by willfully or knowingly using  
14 deception, if the person:

15                   (1) intends to deprive the owner of the property;

16                   (2) willfully or knowingly uses, conceals, or abandons the property in a  
17 manner that deprives the owner of the property; or

18                   (3) uses, conceals, or abandons the property knowing the use, concealment,  
19 or abandonment probably will deprive the owner of the property.

20           (c) (1) A person may not possess stolen personal property knowing that it has  
21 been stolen, or believing that it probably has been stolen, if the person:

22                           (i) intends to deprive the owner of the property;

23                           (ii) willfully or knowingly uses, conceals, or abandons the property in  
24 a manner that deprives the owner of the property; or

25                           (iii) uses, conceals, or abandons the property knowing that the use,  
26 concealment, or abandonment probably will deprive the owner of the property.

27                   (2) In the case of a person in the business of buying or selling goods, the  
28 knowledge required under this subsection may be inferred if:

29                           (i) the person possesses or exerts control over property stolen from  
30 more than one person on separate occasions;