



SPONSOR: Rep. Hudson & Rep. Hensley & Rep. Potter &
Rep. Ramone & Sen. Marshall
Reps. Brady, Briggs King, B. Short, D. Short; Sen. Sokola

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 359

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMMUNITY FIREARM
RECOVERY PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 10402, Title 16 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows and redesignating accordingly:

3 § 10402. Definitions.

4 For purposes of this chapter,

5 (1) "Agency" means local municipal police departments, the New Castle County Police Department and the
6 Delaware State Police.

7 (2) "CFRP" shall mean Community Firearm Recovery Program.

8 (3) "Firearm" means any firearm as defined in § 222(12) of Title 11 and a "bump stock" or "trigger crank
9 device" as defined in this subsection.

10 (4) "Bump stock" means an after-market device that increases the rate of fire achievable with a semi-
11 automatic rifle by using energy from the recoil of the weapon to generate a reciprocating action that facilitates repeated
12 actuation of the trigger.

13 (5) "Trigger crank" means an after-market device designed and intended to be added to a semi-automatic rifle
14 as a crank operated trigger actuator capable of triggering multiple shots with a single rotation of the crank.

15 (4) "Secretary" shall mean the Secretary of Safety and Homeland Security.

16 § 10403 Program.

17 The CFRP is hereby established and shall be implemented by the agencies as funds are allocated. Within 3 months
18 of receipt of funding, the agency shall:

19 (1) In coordination with the community groups within its jurisdiction, select a location site for purposes of
20 implementing a Community Firearm Recovery Program; and,

21 (2) Designate dates and times when a participating individual may surrender a firearm as defined in § 10402(3) of
22 this title in exchange for funds of a predetermined value, or gift certificate or coupon of equal value. The participating
23 agency shall determine the amounts to be exchanged for each firearm surrendered.

24 § 10404 Funding.

25 Under this section, the "Firearms Recovery Fund" shall be established. The Secretary of Safety and Homeland
26 Security shall promulgate rules and regulations for the implementation of this Program, the distribution of funds, and for
27 the safe storage and disposal of recovered weapons in the possession of the participating law-enforcement agency. For
28 purposes of this chapter, "disposal" may include the sale or transfer of the firearms to a federal licensed dealer, defined as a
29 person licensed as a firearms collector, dealer, importer, or manufacturer under the provisions of 18 U.S.C. § 922 et seq., or
30 destruction of the firearms.

31 § 10405 Personal identification and immunity.

32 Any individual who elects to surrender a firearm anonymously to a CFRP may do so and personal identification
33 shall not be required to be presented at the time of redemption. Notwithstanding any law to the contrary, any person
34 participating in a CFRP shall be immune from criminal prosecution for the criminal offenses defined in §§ 1442 and 1444
35 of Title 11, provided the person is, in good faith, on an immediate, direct route to the predetermined CFRP site.

SYNOPSIS

This bill adds bump stocks and trigger crank devices to the list of firearms that may be safely removed from the community.