

CHAPTER 281
FORMERLY
HOUSE BILL NO. 244

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LEVYING UPON GOODS IN A STORAGE WAREHOUSE

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

Section 1. Amend Section 4911, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(a) No constable in the State shall levy upon or sell or offer to sell or to remove, by virtue of any writ or upon any claim or demand whatsoever, any goods and chattels when such goods and chattels have been placed in, and continue to be in, any storage warehouse. No such goods and chattels, so placed, shall hereafter be seized upon or sold, except by the sheriff of the county in which such goods and chattels are located, after such appraisalment and advertisement and under like conditions as are required by law in the case of goods and chattels seized and sold by the sheriff under execution process.

(b) ~~Whoever, being a constable, violates this section, shall be fined not more than \$100 or imprisoned not more than 3 months, or both.~~ For purposes of this section, a storage warehouse is defined as any facility designed for the commercial storage of goods or a self-service storage facility consisting of real property designed and used for the purposes of renting and leasing individual storage space to occupants who are to have access to such for the purpose of storing and removing personal property.

Approved July 01, 2014