

CHAPTER 55
FORMERLY
HOUSE BILL NO. 94
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH.

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

Section 1. Amend § 2101, Title 7 of the Delaware Code by inserting new subsections (e), (f) and (g) as follows:

“(e) The Department shall not issue any oyster harvesting licenses to any new licensee after June 30, 2011.

(f) An oyster harvesting license shall automatically expire on December 31st of each calendar year. If a person does not renew a license within one year of expiration of any oyster harvesting license such person forfeits any right to such license.

(g) An oyster harvesting licensee may transfer a license at any time, including posthumously, to a member of the immediate family. A member of the immediate family shall mean a parent, child, sibling or spouse. The transfer of the license shall be in writing.”.

Section 2. Amend §2103(a)(3), Title 7 of the Delaware Code by deleting the word “or” as it appears after the semicolon “;” at the end of paragraph (3).

Section 3. Amend §2103(a), Title 7 of the Delaware Code by deleting paragraph (4) in its entirety and substituting in lieu thereof the following:

“(4) Held an oyster harvesting license and was eligible to harvest oysters for direct sale pursuant to this section prior to June 30, 2011;

(5) An oyster harvesting license has been transferred to such person pursuant to §2101(g) of this title and the prior holder of such license was eligible to harvest oysters for direct sale pursuant to this section; or

(6) An oyster harvesting license was transferred to such person pursuant to §1920 of this title and the prior holder of such license was eligible to harvest oysters for direct sale pursuant to this section.”.

Approved June 22, 2011