

CHAPTER 119
FORMERLY
SENATE BILL NO. 81
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE SALE OF DISABLED PERSON'S REAL ESTATE.

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

Section 1. Amend §3951, Title 12, Chapter 39 of the Delaware Code by striking subsection (b) and substituting in lieu thereof the following:

“(b) Whenever application for such a sale is made by a guardian, the Court shall appoint an appraiser of real estate, licensed and certified pursuant to Delaware law, to perform an appraisal of the real property to be sold. The appraiser appointed shall be independent of the parties to the sale and disinterested in the transaction. The appraised value shall be used by the Court as a guideline, in a manner set forth more fully in the Rules of the Court, when considering an application for the sale of real estate by a guardian of a disabled person and the Court shall determine in its discretion, based on the appraisal and all other relevant circumstances, whether the requested sale is in the best interest of the disabled person.”

Approved July 13, 2011