

CHAPTER 373
FORMERLY
SENATE BILL NO. 228
AS AMENDED BY
SENATE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITION AGAINST THE USE OF LIGHTS FOR HUNTING.

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

Section 1. Amend § 722(a), Title 7 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strikethrough as follows:

722. Prohibition against the use of lights; penalties.

(a) No person or persons shall hunt or attempt to hunt at nighttime any species of wild bird or wild animal with ~~a~~ any artificial light including the headlights of any vehicle or with any device that amplifies light using a power source including but not limited to night vision and infrared devices. Possession in a motor vehicle or conveyance of any firearms or other implements with which wild birds or wild animals may be killed, exposed within immediate reach, either loaded or unloaded, while using any artificial lights or any device that amplifies light, shall be prima facie evidence of the use of such firearms or other implements for hunting. Raccoons or opossums may be hunted on foot or while riding on a horse or mule at nighttime during open season with the use of a dog or artificial light or both. Frogs may be hunted on foot or from a boat at nighttime during open season with ~~a~~ an artificial light.

Approved July 27, 2012