

CHAPTER 391  
FORMERLY  
HOUSE BILL NO. 439

AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, TO ALLOW THE TOWN OF LAUREL TO FINANCE THE ELIGIBLE COSTS OF QUALIFYING PROJECTS AND ITEMS FOR A TAX INCREMENT FINANCING (TIF) DISTRICT AND A SPECIAL DEVELOPMENT DISTRICT CREATED BY THE TOWN OF LAUREL UNDER SECTION 36A OF THE CHARTER, WHETHER ANY SUCH PROJECT OR ITEM WILL ULTIMATELY BE OWNED BY THE TOWN OF LAUREL OR BY THE STATE OF DELAWARE OR ANY AGENCY OR INSTRUMENTALITY THEREOF, OR ANY COUNTY, LOCAL POLITICAL SUBDIVISION, INSTRUMENTALITY, AGENCY, BODY POLITIC, UTILITY DISTRICT, OR SIMILAR ENTITY WITHIN THE STATE OF DELAWARE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend the Charter of The Town of Laurel, Chapter 288, Volume 64, Laws of Delaware, as amended, by inserting the following at the end of Section 36A:

“Notwithstanding anything to the contrary contained in Section 1801(2)a. of Title 22 of the Delaware Code, the lands, structures, real or personal property, rights, rights-of-way, franchises, easements and interests financed pursuant to the Municipal Tax Increment Financing section or the Special Development Districts section of Section 36A of Chapter 288, Volume 64, Laws of Delaware, as amended, may be acquired for a public purpose not only by The Town of Laurel but also by the State of Delaware or any agency or instrumentality thereof, or any County, local political subdivision, instrumentality, agency, body politic, utility district, or similar entity within the State of Delaware. Further, notwithstanding anything to the contrary contained in Section 1801(2)b. of Title 22 of the Delaware Code, the machinery and equipment financed pursuant to the Municipal Tax Increment Financing section or the Special Development Districts section of Section 36A of Chapter 288, Volume 64, Laws of Delaware, as amended, may include the machinery and equipment needed to expand or enhance services provided not only by The Town of Laurel, but also by the State of Delaware or any agency or instrumentality thereof, or any County, local political subdivision, instrumentality, agency, body politic, utility district, or similar entity within the State of Delaware, to a Tax Increment Financing (TIF) District or a special development district created pursuant to Section 36A of Chapter 288, Volume 64, Laws of Delaware, as amended.”.

Section 2. If any provision of this Act or the application thereof to any person at circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or applications, and to that end the provisions of this Act are declared severable.

Approved July 15, 2010