

LAWS OF DELAWARE
VOLUME 83
CHAPTER 174
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 159
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SALES OF REAL ESTATE MADE BY A SHERIFF.

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

Section 1. Amend § 4974, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(a) As used in this section, “public building” and “public property” mean a building or property that is open to members of the public who wish to attend a sheriff’s sale. “Public building” or “public property” includes a building or property not owned by the government or a governmental entity.

(b) All sales of real estate, made by a sheriff by virtue of execution process, shall be made at any one of the following locations:

(1) ~~on~~ At the premises to be ~~sold~~, ~~or~~ sold.

(2) ~~at~~ At the courthouse for the county in which the premises are ~~situated~~, ~~situated~~, ~~or in Sussex County, at the Sussex County Sheriff’s office or. In Kent County, sales may also be conducted in any building in which the Sheriff’s Office is located.~~

(3) At the Sheriff’s Office or the building in which the Sheriff’s Office is located.

(4) ~~at~~ At any public building or outdoors on any public property located in the county ~~seat~~ where the premises are situated.

(c) Unless otherwise directed by court order, the sheriff conducting a sale retains exclusive authority to determine the location and means for the sale of real property by virtue of execution as permitted by subsection (b) of this section.

Approved September 15, 2021