

LAWS OF DELAWARE  
VOLUME 83  
CHAPTER 176  
151st GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 143  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

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

Section 1. Amend § 543, Title 4 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 543. Grounds for refusal of license; transfer or extension of premises.

(d) The Commissioner shall refuse to grant a license for the sale of alcoholic liquor by any ~~taproom, store, store~~ or establishment for consumption off the premises, when there is an existing licensed establishment of similar type within ½ mile by accessible public road or street in any incorporated city or town, or within 3 miles by accessible public road or street in any unincorporated or rural area measured in driving distance both ways between the existing and proposed establishments. This subsection does not apply to any of the following:

(d)(4) An applicant for an off premises ~~or taproom~~ license whose license location meets 1 of the following.

(i) The Commissioner shall refuse to grant a license for the sale of alcoholic liquor by any taproom or tavern establishment when there is an existing licensed establishment of similar type within 1200 feet by accessible public road or street in any incorporated city or town, or within nine tenths of a mile by accessible public road or street in any unincorporated or rural area measured in driving distance both ways between the existing and proposed establishments. This subsection does not apply to any of the following:

(1) An existing license or to the sale, transfer of ownership, or renewal of an existing license.

(2) A licensee who desires to move the location of the license to a location within 500 feet thereof by accessible public road or street. However, a licensee located in a shopping center or shopping mall may move the location of the license any distance within the same shopping center or shopping mall, whether the center or mall consists of 1 or more separate buildings.

Approved September 15, 2021