

LAWS OF DELAWARE
VOLUME 83
CHAPTER 202
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 56

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ARREST FOR VIOLATION - LIQUIFIED PETROLEUM GAS CONTAINER.

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

Section 1. Amend § 7204, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

~~§ 7204. Arrest for violation.~~

If any person or the president, secretary, treasurer or other officer of any corporation mentioned in ~~§ 7201~~ of this chapter, or the person's duly authorized agent, who has personal knowledge of the facts, makes oath in writing before any justice of the peace that the party making such affidavit believes that any of that party's liquefied petroleum gas containers marked with the name, initials, mark or any other device of the owner are in the possession of or being used by or being filled or refilled by any person who is not the owner or agent of the owner and who is in the possession of filling or refilling or using any such containers without the written consent of the owner of the name, initials or trademark, the justice of the peace, when satisfied that there is probable cause, may issue a warrant and cause the person designated to be brought into court for the purpose of discovering and obtaining the container, and if the justice of the peace finds that the person has been guilty of a violation of § 7202 of this chapter, the justice may impose the punishment herein prescribed and the justice shall also award the possession of property acquired by such warrant to the owner thereof.

Approved September 17, 2021