

LAWS OF DELAWARE  
VOLUME 84  
CHAPTER 138  
152nd GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 157  
AS AMENDED BY  
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS.

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

Section 1. Amend § 2301, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 2301. Definitions.

As used in this chapter:

(8) “Gift card” means a tangible device, whereon is embedded or encoded in an electronic or other format a value issued in exchange for payment that may be used to obtain merchandise, goods, or services at a single retailer of goods or services or an affiliated group of retailers of goods, which may provide to the bearer merchandise in a specific amount or of equal value to the bearer of the device.

Section 2. Amend § 2307, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2307. Prohibited transactions.

(a) No pawnbroker, secondhand dealer or scrap metal processor subject to this chapter shall knowingly purchase or acquire any article, ware or merchandise:

(3) Which has an altered, obliterated or otherwise tampered with serial number or identifying ~~marking~~; marking;

(4) Which remains sealed, unopened in its original packaging, or in its original unused condition unless the person conveying the item presents a receipt or proof of purchase for the item; or

(5) A gift card from a retailer.

(e) The Department of Safety and Homeland Security and its designees may seize an item found in violation of § 2307 of this title. For any item seized for violation of § 2307(a)(4), the Department shall hold the seized item for no more than 30 days, during which time the pawnbroker, secondhand dealer, or scrap metal processor may provide the Department with proof of ownership or other evidence sufficient to establish ownership under this chapter.

Section 3. This Act takes effect the first January 1 after enactment.

Approved August 3, 2023