

LAWS OF DELAWARE
VOLUME 85
CHAPTER 234
153rd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 188

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT FIREARM PROCUREMENT.

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

Section 1. Amend § 1448A, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448A. Background checks for sales of firearms [Effective until implementation of 84 Del. Laws, c. 259, § 1, pursuant to §§ 5 and 6 of the act].

(e) This section does not apply to any of the following:

(6) Transactions involving a “law-enforcement officer” as defined by § 222 of this ~~title~~title, which include transactions by a law-enforcement agency, as defined under § 8584 of this title, for firearms to be used by law-enforcement officers employed by the law-enforcement agency in the performance of the law-enforcement officers’ official duties.

Section 2. Amend § 1448A, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448A. Background checks and handgun qualified purchaser permit required for sales of firearms [Effective upon implementation of 84 Del. Laws, c. 259, § 1, pursuant to §§ 5 and 6 of the act].

(e) This section does not apply to any of the following:

(6) Transactions involving a “law-enforcement officer” as defined by § 222 of this ~~title~~title, which include transactions by a law-enforcement agency, as defined under § 8584 of this title, for firearms to be used by law-enforcement officers employed by the law-enforcement agency in the performance of the law-enforcement officers’ official duties.

Section 3. Amend § 1448B, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448B. Background checks for sales of firearms — Unlicensed persons [Effective until implementation of 84 Del. Laws, c. 259, § 1, pursuant to §§ 5 and 6 of the act].

(c) This section does not apply to any of the following:

(10) Transactions in which the prospective buyer is a law-enforcement agency, as defined under § 8584 of this title, and is obtaining firearms to be used by law-enforcement officers employed by the law-enforcement agency in the performance of the law-enforcement officers’ official duties.

Section 4. Amend § 1448B, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448B. Background checks and handgun qualified purchaser permit required for sales of firearms — Unlicensed persons [Effective upon implementation of 84 Del. Laws, c. 259, § 1, pursuant to §§ 5 and 6 of the act].

(c) This section does not apply to any of the following:

(10) Transactions in which the prospective buyer is a law-enforcement agency, as defined under § 8584 of this title, and is obtaining firearms to be used by law-enforcement officers employed by the law-enforcement agency in the performance of the law-enforcement officers’ official duties.

Section 5. Amend § 1448D, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448D. Handgun qualified purchaser permit required to purchase handguns [For application of this section, see 84 Del. Laws, c. 259, § 5].

(c) (1) A person applying for a handgun qualified purchaser permit as a qualified law-enforcement officer, as a law-enforcement agency, as defined under § 8584 of this title, for a handgun to be used by law-enforcement officers employed by the law-enforcement agency in the performance of the law-enforcement officers’ official duties, or a qualified retired law-enforcement officer is not subject to paragraphs (f)(1) or (f)(4) or subsection (h) of this section.