



SPONSOR: Sen. Pettyjohn & Rep. Briggs King
Sens. Hocker, Lawson, Wilson; Reps. Longhurst,
Mitchell, Schwartzkopf

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 323

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS.

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

Section 1. Amend § 1466, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1466. Large-capacity magazines prohibited; class E felony.

(a) Except as otherwise provided in subsections (c) ~~and (d)~~ through (e) of this section, it is unlawful for a person to manufacture, sell, offer for sale, purchase, receive, transfer, or possess a large-capacity magazine.

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

(1) A person who manufactures a large-capacity magazine, if the person manufactures the large-capacity magazine with the intent to sell the large-capacity magazine, or offer the large-capacity magazine for sale, to a person outside of this State.

(2) A person who ships or transports a large-capacity magazine for a person under paragraph (e)(1) of this section.

Section 2. If Senate Substitute No. 1 for Senate Bill No. 6 of the 151st General Assembly ("Senate Substitute No. 1 for Senate Bill No. 6) is enacted into law, Section 1 of this Act takes effect on the day Senate Substitute No. 1 for Senate Bill No. 6 takes effect.

Section 3. If Senate Substitute No. 1 for Senate Bill No. 6 is not enacted into law, Section 1 of this Act does not take effect.

SYNOPSIS

Currently, there is a manufacturer of firearm magazines in Georgetown that employs nearly 90 workers and produces 30, 20, 15, and 10 round magazines.

This Act excludes a person who manufactures a large-capacity magazine from the application of the law if the person manufactures the large-capacity magazine with the intent to sell the large-capacity magazine, or offer the large-capacity magazine for sale, to a person outside of this State. The Act also excludes a person who ships or transports the large-capacity magazine for a person who manufactures a large-capacity magazine for sale to a person outside of this State.

The enactment of this Act is contingent on the enactment of Senate Substitute No. 1 for Senate Bill No. 6.

Author: Senator Pettyjohn