



SPONSOR: Rep. Osienski & Rep. Bush & Rep. Heffernan &
Rep. Dorsey Walker & Sen. Paradee & Sen. Hoffner
Reps. Baumbach, K. Johnson, Morrison, Spiegelman;
Sens. Gay, Hansen, S. McBride, Sturgeon

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 355

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MARIJUANA.

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

1 Section 1. Amend § 4764A, Title 16 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4764A. Legal marijuana-related activity.

4 (d) (1) A person or entity in the business of, or employed or contracted by an entity in the business of, receiving
5 deposits, extending credit, processing funds transfers, transporting cash or financial instruments, or providing accounting or
6 other financial services is not subject to criminal prosecution under Delaware law solely by virtue of providing any such
7 service in compliance with Delaware law to a marijuana establishment licensed under Chapter 13, Title 4 of the Delaware
8 Code or to a compassion center or safety compliance facility registered under Chapter 49A of this Title.

9 (2) For the purposes of this section, “person or entity” includes a state or federally chartered bank or credit
10 union, an armored car or other money transporter service operating under a license issued by the State Bank
11 Commissioner under Chapter 32, Title 5 of the Delaware Code, a person or entity lending money under a license issued
12 under Chapter 22, Title 5 of the Delaware Code, a certified public accountant or certified public accounting firm
13 permitted or performing services under a practice privilege under Chapter 1, Title 24 of the Delaware Code, or a public
14 accountant or public accounting firm permitted under Chapter 1, Title 24 of the Delaware Code.

SYNOPSIS

This Act provides legal protections for financial institutions and other entities that provide financial or accounting services to cannabis-related businesses that are licensed or registered under Delaware law. Specifically, it clarifies that banks, credit unions, armored car services, and providers of accounting services are not subject to prosecution under Delaware law merely by providing lawful services to licensed businesses engaged in the production, distribution and sale of cannabis in Delaware. This Act aims to facilitate the operation of cannabis-related businesses by helping to ensure that such businesses have access to necessary financial and accounting services.