



SPONSOR: Rep. Dorsey Walker & Sen. Poore
Reps. Bush, K. Johnson, Schwartzkopf; Sen. Gay

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 210

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SALE UNDER EXECUTION.

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

1 Section 1. Amend Chapter 49, Title 10 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4974. Place for public sale of real estate.

4 (a) As used in this section, “public building” and “public property” mean a building or property that is open to
5 members of the public who wish to attend a sheriff’s sale. “Public building” or “public property” includes a building or
6 property not owned by the government or a governmental entity.

7 (b) All sales of real estate, made by a sheriff by virtue of execution process, shall be made at any 1 of the
8 following locations:

9 (1) On the premises to be sold.

10 (2) At the courthouse for the county in which the premises are situated.

11 (3) At the Sheriff’s Office or the building in which the Sheriff’s Office is located.

12 (4) At any public building or outdoors on any public property located in the county where the premises are
13 situated.

14 (5) Through an online auction process that is available to the public and accommodates parties who cannot bid
15 electronically.

16 (c) Unless otherwise directed by court order, the sheriff conducting a sale retains exclusive authority to determine
17 the location and means for the sale of real property by virtue of execution as permitted by subsection (b) of this section.

18 (d) The sheriff may promulgate rules to implement this section.

SYNOPSIS

This bill provides that public sales of real estate may occur via an online auction process.