SPONSOR: Sen. Lavelle & Rep. Longhurst
Sens. Hocker, Marshall, Pettyjohn, Simpson, Sokola;
Reps. Baumbach, J. Johnson, Q. Johnson, Kowalko, Miro, Osienski, Outten, Paradee, Potter, K. Williams, Yearick

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 197
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO POSSESSION OF MARIJUANA, POSSESSION OF DRUG PARAPHERNALIA AND EXPUNGEMENT.

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

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

(j) Notwithstanding any provision of law to the contrary, any person who prior to December 18, 2015 [Effective Date of 80 Del. Law c. 38], was convicted of a single offense arising from an original charge under this section or any predecessor statute, law or ordinance prohibiting the possession, use or consumption of marijuana or any controlled substance or counterfeit controlled substance classified in §4714(d)(19) of this Title shall be eligible for mandatory expungement of the records of the conviction and all indicia of arrest pursuant to the provisions of §4373 of Title 11, provided the applicant is otherwise eligible for mandatory expungement as specified therein. Upon issuance of the order of expungement, the records of the conviction and any indicia of arrest shall be dealt with in accordance with the procedures specified in §§ 4373, 4376, and 4377 of Title 11.

SR : JK : DK : 0641490207
LC : HVW : NMX : 5081490211
Released: 07/01/2018 07:13 AM