

SPONSOR: Rep. Kowalko & Rep. Ramone & Sen. Lockman & Sen. Cloutier
Reps. Baumbach, Brady, Briggs King, Chukwuocha, Cooke, Osienski; Sens. Hansen, Pettyjohn

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 68
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND CHAPTER 27, VOLUME 79 AND CHAPTER 74, VOLUME 81 OF THE LAWS OF DELAWARE AND TITLE 10 AND TITLE 29 OF THE DELAWARE CODE RELATING TO FORECLOSURE AND CONSUMER PROTECTION.

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

Section 1. Amend Section 10, Chapter 27, Volume 79 of the Laws of Delaware by making deletions as shown by strike through and insertions as shown by underline as follows:

Amend 78 Del. Laws, c. 199 § 3(b) (House Substitute No. 1 for House Bill No. 57, as amended by House Amendment No. 1, 146th General Assembly) by making insertions as shown by underlining and deletions as shown by strike through as follows:

~~(b) Section 5062A of Title 10 shall apply to: (i) mortgage foreclosure actions commenced from the effective date of this Act to the date that is~~ six years ~~two years after such date; and (ii) mortgage foreclosure actions commenced prior to the effective date of this Act that are pending in the Superior Court on such date and not yet gone to judgment or sale.~~

Section 2. Amend Section 1, Chapter 74, Volume 81 of the Laws of Delaware by making deletions as shown by strike through and insertions as shown by underline as follows:

Amend 78 Del. Laws c. 198, § 2 (House Bill No. 59, as amended by House Amendment No. 1, 146th General Assembly), by making deletions as shown by strike through and insertions as shown by underline as follows:

~~This Act shall be effective immediately upon its enactment into law and shall continue to have effect until the date that is two years~~ eight years ~~after such date.~~

Section 3. Amend Section 2, Chapter 74, Volume 81 of the Laws of Delaware by making deletions as shown by strike through and insertions as shown by underline as follows:

Amend 78 Del. Laws c. 200, § 4 (House Substitute No. 1 for House Bill No. 58, 146th General Assembly), by making deletions as shown by strike through and insertions as shown by underline as follows:

This Act shall take effect 120 days after its enactment into law and shall only apply to mortgage foreclosure actions commenced from the effective date of this ~~Act to the date that is two years eight years after such date.~~ Act.

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Section 4. Amend § 5062A, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5062A. Loss mitigation affidavit required.

(d) This section applies to the following mortgage foreclosure actions:

(1) Actions filed on or after January 19, 2012, and before January 1, 2025.

(2) Actions pending in the Superior Court on January 19, 2012, which have not gone to judgment or sale.

(e) This section expires on January 1, 2025, unless terminated sooner or extended by the General Assembly.

Section 5. Amend § 5062C, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5062C. Residential Mortgage Foreclosure Mediation Program.

(u) This section applies to mortgage foreclosure actions commenced on or after January 19, 2012, and before January 1, 2025.

(v) This section expires on January 1, 2025, unless terminated sooner or extended by the General Assembly.

Section 6. Amend § 5062D, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5062D. Complaints and answers.

(d) This section applies to mortgage foreclosure actions commenced on or after January 19, 2012, and before January 1, 2025.

(e) This section expires on January 1, 2025, unless terminated sooner or extended by the General Assembly.

Section 7. Amend § 2518, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2518. Office of Foreclosure Prevention and Financial Education.

(d) This section expires on January 1, 2025, unless terminated sooner or extended by the General Assembly.