SPONSOR: Sen. Lockman & Rep. Bentz
Sens. Delcollo, Hansen, Lopez, Walsh; Reps. Bennett, Dorsey Walker, Spiegelman, Yearick

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 113
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE HAZARDOUS SUBSTANCE CLEANUP ACT.

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

Section 1. Amend § 9113, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9113. Hazardous Substance Cleanup Fund.

(d) No greater than 15 ~~percent~~ % of the average of moneys deposited into the Fund ~~shall~~ over the previous 10 fiscal years may be used for administering this chapter without approval of the Joint Finance Committee.

Section 2. Amend § 9115, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9114. Tax assessment.

(a)(1) With regard to gross receipts received after December 31, 1990, and before July 1, 1993, there shall be added to the tax provided in §§ 2902(c)(3) and 2905(b)(1) of Title 30 an additional tax of .6% on all taxable gross receipts determined under §§ 2902 and 2905 of Title 30 derived from the sale of petroleum or petroleum products.

(3) With regard to gross receipts received after December 31, 2018, and before January 1, ~~2022,~~ 2029, the rate of additional tax under this subsection is subject to annual adjustment based upon the total of moneys deposited into the Hazardous Substance Cleanup Fund ("Fund") during the lookback period, as that term is defined in § 2122 of Title 30. The Division of Finance shall calculate the annual adjustment under this paragraph (a)(3) in conjunction with the determination of gross receipts tax filing frequencies.

Section 3. Section 1 of this Act takes effect on January 1, 2021.

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