

SPONSOR: Rep. Chukwuocha & Sen. Brown & Rep. Cooke
Reps. Griffith, K. Johnson, D. Short, Bolden, Carson, Ortega; Sen. Seigfried

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 123
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DISCHARGE OF A FIREARM.

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

Section 1. Amend Part E, Subchapter VII, Chapter 5 of Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1460A. Discharging a firearm towards a dwelling, place of worship, vehicle, place of business, school, or institution of higher learning.

(a) It is unlawful to knowingly or intentionally discharge a firearm towards any of the following:

(1) A dwelling.

(2) A place of worship.

(3) A vehicle.

(4) A place of business.

(5) A school.

(6) An institution of higher education.

(b) For purposes of this section:

(1) "Dwelling" means as defined in § 829 of this title.

(2) "Place of business" means a permanent physical structure that is marked with signage and within which a commercial, service, or other legal enterprise is operated. "Place of business" does not include a shooting range or other business the purpose of which is to provide a venue for lawful firearm practice or other lawful firearm uses.

(c) A violation of this section is a class E felony.

(d) A person may not be convicted of both a violation of this section and reckless endangering in the first degree, or both a violation of this section and reckless endangering in the second degree, with regard to the same conduct.

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