



SPONSOR: Rep. K. Williams & Rep. Longhurst & Rep. Bush &
Rep. Heffernan & Rep. Griffith & Sen. Walsh
Reps. Baumbach, Lambert, Osienski, Romer,
Schwartzkopf, Michael Smith; Sens. Gay, Sokola

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 270
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLES 11 AND 24 OF THE DELAWARE CODE RELATING TO AMMUNITION.

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

Section 1. Amend Chapter 9, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 902. Application and fee for license; duration; renewal.

(a) Whoever desires to engage in the business of selling any of the articles referred to in the first paragraph of § 901 of this title shall apply to the Department of State to obtain a license to conduct such business and shall pay an application fee of \$50 to the Department. The license shall entitle the holder thereof to conduct such business until June 1 next succeeding its date. An application for renewal of such license shall be accompanied by a payment of \$50 to the Department.

(b) (1) A licensee who engages in the sale of firearm ammunition must include with their initial application and application for renewal a description of their theft and loss prevention policies and procedures as well as a report of all ammunition losses or theft within the prior year. An applicant or licensee's description of theft and loss prevention policies is not a public record for purposes of the Freedom of Information Act, Chapter 100 of Title 29.

(2) So long as information that complies with paragraph (b)(1) of this section is submitted with the application, the content of the policies and procedures may not be a basis for denial of an initial license or a renewal.

§ 905. Ammunition display.

(a) A licensee may not sell, offer for sale, or display for sale or transfer ammunition in a manner that allows that ammunition to be accessible to a purchaser or transferee without the assistance of the vendor or an employee of the vendor. Ammunition displayed in an enclosed display case or behind a counter or other customer access prevention device is not considered accessible for purposes of this section and fulfils the theft and loss prevention requirement under § 902(b) of this title.

(b) A violation of this section is a civil offense. For a first offense the penalty is \$500. For a second offense the penalty is \$1,000. For a third or subsequent offense the penalty is \$5,000.

(c) The Court of Common Pleas has jurisdiction over violations of this section.

(d) As used in this chapter, "ammunition" means as defined in § 1448 of Title 11.

§ 905-906. Penalties.

Whoever ~~A person who~~ violates §§ 901, 903, 904, or 904A of this chapter shall be fined not more than ~~\$250~~ \$500 or imprisoned not more than 6 months, or both.

Section 2. This Act takes effect 1 year after its enactment.