



SPONSOR: Rep. Miro & Sen. Vaughn
Rep. Spence

HOUSE OF REPRESENTATIVES

143rd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1 FOR
HOUSE BILL NO. 388
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES RELATING TO RECORDING DEVICES.

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

Section 1. Amend § 922, Title 11, Delaware Code, by deleting the phrase "labelling; unclassified misdemeanor" as found in the title, and by substituting in lieu thereof the phrase "labeling; class G felony", and further by deleting from subsection (a), the phrase "outside cover, box, or jacket", and substituting in lieu thereof, the phrase "cover, box, jacket, or label".

Section 2. Amend § 922, Title 11, Delaware Code, by by amending subsection (b) by inserting after "section" the following:

"involving 100 or more improperly labeled sound recordings shall constitute a class G felony, otherwise it is", and further by adding a new subsection (c) to read as follows:

"(c) A second or subsequent violation of this section involving 100 or more improperly labeled sound recordings, or in which the second or subsequent violation plus any and all prior violations of this section added together involve 100 or more improperly labeled sound recordings, shall constitute a class F felony."

Section 3. Amend Title 11, Delaware Code, by adding a new § 924A to read as follows:

"§ 924A. Forfeiture.

If a person is convicted of a violation of § 922, the court in its sentencing order shall order the forfeiture and destruction or other disposition of:

- (1) all articles on which the conviction is based; and
- (2) all implements, devices, materials, and equipment used or intended to be used in the manufacture of the recordings on which the conviction is based."