



SPONSOR: Rep. Mitchell & Rep. M. Marshall & Rep. Walls
Sen. Bushweller & Sen. Ennis

HOUSE OF REPRESENTATIVES

145th GENERAL ASSEMBLY

HOUSE BILL NO. 61
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO ANSWER A SUMMONS.

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

Section 1. Amend §702, Title 21 of the Delaware Code, by designating the existing language of the section as subsection (a) and inserting a new subsection “(b)” thereto as follows:

“(b) The offense set forth in subsection (a) above shall not be charged in any case in which a court of competent jurisdiction has already issued a capias or bench warrant for the failure to answer the original summons, or in any case where the defendant’s driver’s license or driving privileges have been suspended as a result of failure to pay the summons through voluntary assessment pursuant to §709(j) of this chapter.”.