

SPONSOR: Rep. Atkins & Sen. Booth
Reps. Bennett, Briggs King, Carey, Carson, Cathcart, Hocker, Kovach, Lavelle, Lee, Manolakos, Mulrooney, Outten, Ramone, D. Short, Thornburg, Walls, Wilson; Sens. Bonini, Bunting, Cook, Ennis, Hall-Long, McBride, Simpson, Venables

HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1

FOR

HOUSE BILL NO. 357

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS.

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

Section 1. Amend Title 29 of the Delaware Code by adding a new Chapter 112 thereto to read as follows:

"CHAPTER 112. REGULATION OF ARMS

§ 11201. Limitation of Authority.

No public housing authority operating within this state shall have or exercise the authority to regulate, prohibit or otherwise restrict a lessee/tenant of a dwelling owned and operated by such public housing authority from lawfully owning or possessing ammunition, arms or components thereof in such dwelling for the defense of self, family, home and State, and for hunting and recreational use and transporting such ammunition, arms or components thereof to and from such dwelling.

§ 11202. Definition.

For purposes of this chapter, the term "Public housing authority" shall mean any housing authority created pursuant to Chapter 40 and/or 43 of Title 31 of this Code.".

SYNOPSIS

This bill is intended to allow lessees/tenants of public housing to possess ammunition, arms or components thereof in their home for the defense of self, family, home and State, and for hunting and recreational use and transporting such ammunition, arms or components thereof to and from their home. This bill ensures that tenants of the dwelling owned and operated by a public housing authority are afforded the same rights as all citizens of Delaware as is provided in Article I, §20 of the Delaware Constitution. Article I, §20 of the Delaware Constitution provides that "A person has the right to keep and bear arms for the defense of self, family, home and State, and for hunting and recreational use.".

LC : WGB : RAY
1901450585
Released: 06/10/2010 04:49 PM