

CHAPTER 258
FORMERLY
HOUSE BILL NO. 321

AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend §1203(a), Chapter 12, Title 3 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 1203. Regulation; duties and powers of Department.

(a) In order to regulate the sale and/or use of pesticides and devices in this State, the Department shall, by regulation, provide that every pesticide and device distributed and/or used within this State shall be duly registered with the Department. ~~The Department shall require a biennial registration fee, not to exceed \$70, for each pesticide or device registered.~~ The Department, with the approval of the Secretary of Agriculture, shall establish a biennial registration fee, not to exceed \$140.00, for each pesticide or device registered. The fee established by the Secretary of Agriculture shall approximate and reasonably reflect all costs necessary to defray the expenses of the Department's activities pursuant to this Chapter. At the beginning of each calendar year, the Department shall compute the appropriate pesticide or device registration fee. All revenue generated by this fee shall be deposited in an appropriated special fund account in the Department of Agriculture.

Approved June 15, 2012