



SPONSOR: Sen. Lockman

DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1
TO
SENATE BILL NO. 3

1 AMEND Senate Bill No. 3 on line 144 by deleting “[1 year after the effective date of this Act]” and inserting in
2 lieu thereof “[1 year after the implementation date of § 1448D of Title 11 within Section 1 of this Act]”.

3 FURTHER AMEND Senate Bill No. 3 on line 171 by deleting “The” after “(d)” and before “Department” therein
4 and inserting in lieu thereof “Subject to subsection (h) of this section, the”.

5 FURTHER AMEND Senate Bill No. 3 on line 180 by deleting “[the effective date of this Act]” and inserting in
6 lieu thereof “[the implementation date of § 1448D of Title 11 within Section 1 of this Act]”.

7 FURTHER AMEND Senate Bill No. 3 by inserting the following after line 184 and before line 185:

8 “(h) Except under and in furtherance of an open criminal investigation or during the course of a criminal
9 prosecution, the Department may not retain a record, data, information, or a report obtained under this section for longer
10 than 2 years.”.

11 FURTHER AMEND Senate Bill No. 3 by deleting line 310 in its entirety and inserting in lieu thereof the
12 following:

13 “Section 5. Section 1448D of Title 11 within Section 1 of this Act is effective immediately and is to be
14 implemented the earlier of the following:

15 (1) Eighteen months from the date of the Act’s enactment.

16 (2) The date of publication in the Register of Regulations of a notice by the Secretary of the Department of
17 Safety and Homeland Security that the necessary processes for implementation have been established for § 1448D of
18 Title 11 within Section 1 of this Act.

19 Section 6. Section 1448E of Title 11 within Section 1 of this Act and Sections 2 through 4 of this Act take effect
20 on the implementation date of Section 1448D of Title 11 within Section 1 of this Act.”.

SYNOPSIS

This Amendment prohibits the Department of Safety and Homeland Security from retaining a record, data, information, or a report related to the transfer of a handgun for longer than 2 years, except in furtherance of an open criminal investigation or during the course of a criminal prosecution.

This Amendment also delays the implementation of the requirement to obtain a handgun qualified purchaser card until the Department of Safety and Homeland Security is ready to implement § 1448D of Title 11 or 18 months from the date of enactment, whichever comes first.

Author: Senator Lockman