



SPONSOR: Sen. Hocker & Rep. Gray

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 213

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLVILLE RELATING TO THE POWER TO IMPOSE AND COLLECT A LODGING TAX.

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 the Charter of Millville by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 31. Enumeration of Powers

(a) Not by way of limitation upon the power vested in the Town Council of The Town of Millville to exercise all powers delegated by this Charter to the municipal corporation or to the Town Council except as may expressly appear herein to the contrary, but, rather by way of enumeration and for purposes of clarity, the Town Council is vested by this Charter with the following powers, to be exercised by the Town Council in the interest of good government and the safety, health, and public welfare of the Town, its inhabitants and affairs, that is to say:

(42) ~~Repealed.~~ To impose and collect a lodging tax of no more than 3% of the rent, in addition to the amount imposed by the State under Chapter 61 of Title 30 of the Delaware Code, for the occupancy of any room or rooms in a hotel, motel, or tourist home that is located within the boundaries of the Town of Millville.

SYNOPSIS

This Act amends the Charter of the Town of Millville to restore the authority of the Town Council to impose and collect a lodging tax. This authority to impose and collect a lodging tax was enacted under Senate Bill No. 162 (150th) in 2019 but was inadvertently repealed under House Bill No. 138 (151st) in 2021.

This Act requires a greater than majority vote for passage because § 1 of Article IX of the Delaware Constitution requires the affirmative vote of two-thirds of the members elected to each house of the General Assembly to amend a charter issued to a municipal corporation.

Author: Senator Hocker