

CHAPTER 412  
FORMERLY  
HOUSE BILL NO. 477

AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE DELAWARE WHOLESALE LICENSE FEE.

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

Section 1. Amend § 2901(4)(b), Chapter 29, Title 30 of the Delaware Code by adding a new subparagraph (9) to read as follows:

“(9) receipts derived by a pharmaceutical wholesaler from the sale of pharmaceutical drugs that are physically delivered to a pharmaceutical distribution wholesaler within this State.”.

Section 2. Amend § 2901, Chapter 29, Title 30 of the Delaware Code by inserting new subsections (7), (8) and (9) to read as follows, and by renumbering current subsections (7) through (11) as subsections (10) through (14), respectively:

“(7) ‘Pharmaceutical Wholesaler’, for purposes of this Chapter, is any person engaged, as owner or agent, in the business of selling to another person pharmaceutical drugs for any consideration for the purpose of resale by the person acquiring the pharmaceutical drugs, and includes, without limitation, pharmaceutical drugs sold by the pharmaceutical wholesaler through outlets, warehouses, and distribution depots inside or outside of this State.

(8) ‘Pharmaceutical Distribution Wholesaler’, for purposes of this Chapter, is an person within this State who engages solely in the business of retail sales of pharmaceutical drugs by mail, common, or contract carrier.

(9) ‘Pharmaceutical Drug’, for purposes of this Chapter, is a substance recognized as a drug in the Official United States Pharmacopoeia/National Formulary.”.

Approved July 19, 2010