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HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 385

AN ACT TO AMEND TITLE 4, TITLE 5, TITLE 6, TITLE 7, TITLE 9, TITLE 10, TITLE 11, TITLE 14, TITLE 16,
TITLE 18, TITLE 19, TITLE 21, TITLE 24, TITLE 26, TITLE 29, AND TITLE 30 OF THE DELAWARE CODE
RELATING TO TECHNICAL CORRECTIONS.

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

1 Section 1. Amend § 718, Title 4 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 718. Shipping and transporting alcoholic liquor.

4 (b) If alcoholic liquor is to be shipped to a point within or without this State by the manufacturer or importer
5 thereof, the shipment shall only be made by common carrier, by vehicle owned or hired by the manufacturer or importer, or
6 employee ~~thereof~~, of the manufacturer or importer, under the rules of the Commissioner. "Shipped," as used in this
7 subsection, shall mean any movement of alcoholic beverage to any location other than the manufacturer's or importer's
8 storage location.

9 Section 2. Amend § 1304, Title 4 of the Delaware Code by making deletions as shown by strike through and
10 insertions as shown by underline as follows:

11 § 1304. Places of employment.

12 Nothing in this chapter is intended to impact or impose any requirement or restriction on employers with respect to
13 terms and conditions of employment including ~~but not limited to~~ accommodation, policies, or discipline.

14 Section 3. Amend § 1314, Title 4 of the Delaware Code by making deletions as shown by strike through and
15 insertions as shown by underline as follows:

16 § 1314. Oversight Committee; annual report by the Commissioner.

17 (b) The Commissioner shall submit to the Governor and members of the General Assembly an annual report
18 setting forth all matters of interest and all statistics concerning marijuana regulation and control in the State, including the
19 following:

(4) Outcomes and effectiveness of the issuance of social equity licenses which shall include all of the following:

c. The location of the social equity ~~licenses~~ licensed premises.

Section 4. Amend § 1354, Title 4 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1354. Grounds for refusal of license; transfer or extension of premises.

(e) The Commissioner shall refuse to grant a license for the sale of marijuana, marijuana products, or marijuana accessories when there is an existing licensed establishment of the same type within 1200 feet by accessible public road or street in any incorporated city or town, or within 1 mile by accessible public road or street in any unincorporated or rural area. If there is an existing licensed establishment less than 1 mile but more than $\frac{9}{10}$ of 1 mile by accessible public road or street in any unincorporated or rural area, the Commissioner may grant such license. This subsection does not apply to any of the following:

(2) Any licensee who desires to move the location of the licensee's ~~license~~ licensed premises to a location within 500 feet thereof by accessible public road or street or any licensee located in a shopping center or shopping mall who desires to move the location of the licensee's ~~license~~ licensed premises any distance within the same shopping center or shopping mall, whether such center or mall consists of 1 or more than 1 separate buildings.

(f) Any holder of an existing license who desires to move the location of the existing ~~license~~ licensed premises due to the destruction of the building, loss of lease, diversion of highway traffic pattern, or other reason beyond the control of the licensee, shall have preference in the issuance of a new license provided that the application satisfies this section and all other requirements under this chapter.

Section 5. Amend § 3311, Title 5 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3311. Applications; review by Commissioner.

(c) After a review of an application and receipt and review of any additional or supplemental information requested by the Commissioner, the Commissioner shall approve the application for a license under this chapter if the Commissioner determines that:

(2) Each director, ~~officer~~ officer, and controlling person of the applicant is of good character and sound financial standing; each director and officer of such applicant is competent to perform the individual director's and officer's functions with respect to such applicant; and the directors and officers of such applicant are collectively able to manage the business of such applicant as a Bidco;

Section 6. Amend § 73-304, Title 6 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 73-304. Denial, revocation, suspension, cancellation and withdrawal of registration of broker-dealers, agents, investment advisers and investment adviser representatives.

(c) The Director may by order summarily postpone or suspend registration or take such other action authorized by this chapter pending final determination of any proceeding under this section. Upon the entry of an order, the Director shall promptly notify the applicant or registrant, as well as the employer or prospective employer if the applicant or registrant is an agent or investment adviser representative, that it has been entered and of the reasons therefore and that the subject of the order may request a hearing on an application to set aside, limit, or suspend the summary order by filing with the Director:

(1) A written request for a hearing; and

(2) A written answer addressing specifically the factual and legal findings of the order, within the time provided by rule or order.

The opportunity to be heard is waived if the subject of the order fails to timely file a written answer and written request for a hearing, and the order will remain in effect until modified or vacated by the Director. To the extent a hearing is properly requested and an answer properly filed, a hearing shall be noticed within 15 days from the date the request is received. ~~If no hearing is requested and none is ordered by the Director, the order will remain in effect until it is modified or vacated by the Director.~~

Section 7. Amend § 7502A, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7502A. Membership.

(c) Only 1 representative of an entity or designee of an official named in subsection (a) of this section may serve at a time and must submit written documentation to the Chair from their entity or official authorizing them to act as a representative or designee. No person claiming to be a representative or designee shall be permitted to vote or be counted as a member of a quorum without this authorization. ~~Their~~ A representative's or designee's authorization shall be considered revoked if a letter to that effect is submitted to the ~~Chair~~, Chair by the entity or official authorizing the representative or designee to act as a representative or designee, if a replacement is subsequently authorized, or if they miss more than 2 meetings of the full Council in a row without notice to the Chair.

Section 8. Amend § 10002, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 10002. Definitions.

For purposes of this chapter, the following terms shall have the meanings set forth herein.

(16) “~~State agencies~~ agency” means ~~agency~~ “agency” as defined in § 6902 of Title 29.

Section 9. Amend § 1101A, Title 9 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1101A. Definitions.

For purposes of this chapter:

(3)a. “Local service function” or “LSF” means a local governmental service, or a group of closely allied governmental services, that is all of the following:

b. “Local service function” or “LSF” may include any of the following:

~~7.9-1-1~~ 911 communications.

Section 10. Amend § 1077, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1077. Order to submit to human immunodeficiency virus testing; test results; notification to Department of Services to Children, Youth and their Families; counseling; costs; notice of appeal not to stay order for HIV testing.

(c) The result of any human immunodeficiency virus testing conducted pursuant to this subchapter shall only be made available by the Division of Public Health to the victim, or the parent or guardian of the victim who is a minor or is ~~mentally retarded or mentally incapacitated~~, a person with intellectual or developmental disabilities, the defendant, the court issuing the order for testing and any other person or agency pursuant to Chapters 12 and 12A of Title 16.

Section 11. Amend § 4319, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4319. Confidential communications involving first responders, civilian employees, or their families.

(b) Except as provided in subsection (d) of this section, all proceedings, communications, and records, including any information acquired by a CISM team, CISM team member, or trained peer support member from a participant, are confidential. A CISM team member or trained peer support member may not be compelled to disclose the proceedings, communications, ~~and or~~ records, including information, through compulsory legal process or otherwise discoverable or admissible in evidence in any action, including any legal proceeding, trial, or investigation unless the confidentiality is waived by the affected participant.

Section 12. Amend § 7209, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7209. Sanctions.

(a) Any person who violates a sexual violence ~~protection~~ protective order may be guilty of criminal contempt under § 1271A of Title 11.

Section 13. Amend § 7708, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7708. Sanctions.

(a) Any person who violates a lethal violence ~~protection~~ protective order may be guilty of criminal contempt under § 1271A of Title 11.

Section 14. Amend § 472, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 472. Mitigating factors and defenses based on a victim's sexual orientation, sex, gender, gender identity, or sex assigned at birth.

(c) Notwithstanding any other provision of this Criminal Code, in any prosecution or sentencing for an offense, a defendant does ~~not~~ not, based on the discovery of, knowledge or belief about, or the potential or actual disclosure of the victim's actual or perceived sexual orientation, sex, gender, gender identity, or sex assigned at birth, suffer from a mental illness, mental defect, mental disorder, serious mental disorder, psychiatric disorder, or other impairment affecting or impacting the defendant's mental state relating to ~~any~~ questions of ~~intent; knowledge; capacity to appreciate the wrongfulness of the defendant's conduct; disturbance of the defendant's thinking, feeling, or behavior; culpability; willpower to choose whether to do or refrain from doing an act; or ability to distinguish right from wrong, based on the discovery of, knowledge or belief about, or the potential or actual disclosure of the victim's actual or perceived sexual orientation, sex, gender, gender identity, or sex assigned at birth.~~ any of the following:

(1) Intent.

(2) Knowledge.

(3) Capacity to appreciate the wrongfulness of the defendant's conduct.

(4) Disturbance of the defendant's thinking, feeling, or behavior.

(5) Culpability.

(6) Willpower to choose whether to do or refrain from doing an act.

(7) Ability to distinguish right from wrong.

Section 15. Amend § 612, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 612. Assault in the second degree; class C or D felony.

(d) Assault in the second degree is a class D ~~felony~~ felony, unless the offense is a class C felony as described in paragraph (a)(12) of this section.

Section 16. Amend § 832, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 832. Robbery in the first degree; class B felony.

(b) Notwithstanding any provisions of this section or Code to the contrary, any person convicted of robbery in the first degree shall receive a minimum sentence of:

(2) Five years at Level V, if the conviction was either of the following:

a. For an offense that was committed pursuant to paragraph ~~(a)(3)~~ (a)(2) of this section and the deadly weapon was a firearm, and within 7 years of the date of a previous conviction for robbery in the first degree or if the conviction is for an offense that was committed within 7 years of the date of termination of all periods of incarceration or confinement imposed pursuant to a previous conviction for robbery in the first degree, whichever is the later date.

Section 17. Amend § 1103D, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1103D. Child torture; class B felony.

(a) As used in this section:

(1) "Torture" means a course of conduct consisting of 1 or more instances of any of the following acts which occur over a period of more than 24 hours and are done with malice or an extreme indifference to the well-being of the child:

a. Child abuse under ~~§§ 1103, 1103A, 1103B, and 1103C~~ § 1103, § 1103A, § 1103B, or § 1103C of this title.

Section 18. Amend § 1334, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1334. Unlawful use of an unmanned aircraft system; unclassified misdemeanor; class B misdemeanor; class A misdemeanor.

(a) *Definitions.* — The following terms shall have the following meanings as used in this section.

(2) "First responder" means federal, state, and local law-enforcement officers, fire, and emergency medical services personnel, hazardous materials response team members, ~~9-1-1~~ 911 dispatchers, or any individual who is

responsible for the protection and preservation of life and is directed to respond to an incident that could result in death or serious injury.

Section 19. Amend § 1448, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448. Possession and purchase of deadly weapons by persons prohibited; penalties [Effective until June 30, 2025].

(a) Except as otherwise provided in this section, the following persons are prohibited from purchasing, owning, possessing, or controlling a deadly weapon or ammunition for a firearm within the State:

(11) Any person who is subject to a lethal violence ~~protection~~ protective order, issued under § 7704 of Title 10, but only for so long as that order remains in effect or is not vacated or otherwise terminated under Chapter 77 of Title 10.

Section 20. Amend § 1448, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1448. Possession and purchase of deadly weapons by persons prohibited; penalties [Effective June 30, 2025].

(a) Except as otherwise provided in this section, the following persons are prohibited from purchasing, owning, possessing, or controlling a deadly weapon or ammunition for a firearm within the State:

(11) Any person who is subject to a lethal violence ~~protection~~ protective order, issued under § 7704 of Title 10, but only for so long as that order remains in effect or is not vacated or otherwise terminated under Chapter 77 of Title 10.

Section 21. Amend § 8404, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8404. Powers and duties.

(a) The Commission shall do all of the following:

(4) Suspend or revoke certification under any of the following circumstances:

e. ~~Has~~ A police officer has received a hearing pursuant to Chapter 92 of this title, or who has knowingly and voluntarily waived that individual's right to such a hearing ~~and~~ and has done any of the following:

1. ~~Has been~~ Been discharged from employment with a law-enforcement agency for a breach of internal ~~discipline~~ discipline; or discipline.

2. ~~Has retired~~ Retired or resigned prior to the entry of findings of fact concerning an alleged breach of internal discipline for which the individual could have been legitimately discharged had the individual not

retired from or resigned that individual's position prior to the imposition of discipline by the employing agency.

Section 22. Amend § 8531, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8531. Definitions.

For purposes of this subchapter:

(2) "Missing person" means a person who is missing, and who also meets 1 of the following characteristics:

a. ~~The~~ Is a person ~~is physically or mentally disabled.~~ with physical, intellectual, or developmental disabilities.

Section 23. Amend § 1318, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1318. Sick leave and absences for other reasons; accumulation of annual leave.

(f)(1) An employee may be absent without loss of pay no more than 5 days per fiscal year for personal reasons of the employee. These absences are included in the employee's sick ~~leave and employee's officer~~ leave. The procedure for granting or denying a request to be absent for personal reasons is as follows:

a. Requests to be absent for personal reasons may be approved by building level administrators, provided that the building level administrator cannot ask the employee the reason for the request.

b. Requests that are being considered for denial shall be forwarded to the chief school officer or the local education agency human resources administrator designated for processing such requests. The chief school officer and the human resources administrator may ask the employee the reason for the request, provided that the employee is not required to provide the reason for the request.

c. A request to be absent for personal reasons may only be denied if school operational requirements cannot be met.

(2)

c. An employee shall notify the ~~employee's chief school officer~~ building level administrator in advance of the need to be absent under this paragraph (f)(2) and provide a copy of the subpoena or jury duty notification.

Section 24. Amend § 2702, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2702. Compulsory attendance requirements; evaluation of readiness; exit interview.

(h) Every student who is enrolled in a public school of this State in grades 6 through 12 shall be allowed 1 excused absence per school year to attend a civic engagement activity, which includes visiting Capitol Hill in Washington, D.C. or Legislative Hall in Dover, visiting a site of significant historical or cultural importance, advocating for or testifying on behalf of legislation, or participating in a rally, march, or protest.

(1)~~“One~~ For purposes of this subsection, “1 excused absence” is defined as 1 partial or full school day. Students may not take more than 1 excused partial day and combine them to consider them to be “1 excused absence.”

(2) For any civic engagement event that occurs on a day when the student’s school is not in session, the student may not redeem or exchange this nonschool day for an excused absence on a school day.

(j) A pupil’s absence from school for a mental or behavioral health reason is a necessary and an excused absence. Each school district and charter school shall determine the maximum number of excused absences allowable under this ~~section~~ subsection.

(1)~~“Excused~~ For purposes of this section, “excused absence” means a full school day and does not require a medical or doctor’s note.

Section 25. Amend § 4143, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4143. Black history instruction.

(f)(1) Each school district and charter school shall designate an individual responsible for overseeing the implementation of the educational programming provided under this section. Each school district and charter school shall provide the name and contact information for the individual designated under this subsection to the Department of Education no later than September 15 of each year.

(2) Each individual designated under paragraph (f)(1) of this section shall report to the Department of Education no later than November 15 of each year regarding how the curriculum has been implemented by that individual’s school district or charter school.

(3) The Department of Education shall submit a written report to the Governor, the members of the General Assembly, and the Director of the Division of Research no later than January 15 of each year. The report must include the educational programming provided under paragraph (a)(3) of this section and how the curricula has been implemented by each school district and charter school.

~~(4)(g)~~ The Department of Education may, with the approval of the State Board of Education, adopt regulations to implement and enforce this section.

Section 26. Amend § 1002A, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1002A. Definitions.

For purposes of this chapter:

(9) “Long-term care facility” means a nursing ~~home~~ facility or intermediate care facility for persons with ~~mental retardation~~ intellectual disabilities licensed under Chapter 11 of this title.

Section 27. Amend § 1161, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1161. Definitions.

For purposes of this subchapter:

(a)(1) “Advanced practice nurse” ~~shall mean~~ means an individual whose education and certification meet the criteria outlined in Chapter 19 of Title 24, and who is certified in at least 1 of the following specialty areas:

(1)a. Adult nurse ~~practitioner;~~ practitioner.

(2)b. Gerontological clinical nurse ~~specialist;~~ specialist.

(3)c. Gerontological nurse ~~practitioner;~~ practitioner.

(4)d. Psychiatric/mental health clinical nurse ~~specialist; or~~ specialist.

(5)e. Family nurse practitioner.

(b)(2) “Department” ~~shall mean~~ means the Department of Health and Social Services.

(c)(3) “Direct care” ~~shall mean~~ means an activity performed by a nursing services direct caregiver that is specific to a resident. Direct care activities are as follows:

(1)a. “Hands-on” treatment or care, ~~including, but not limited to,~~ including assistance with activities of daily living (e.g., bathing, dressing, eating, range of motion, toileting, ~~transferring and~~ transferring, ambulation); medical treatments; and medication ~~administration;~~ administration.

(2)b. Physical and psychosocial ~~assessments;~~ assessments.

(3)c. Documentation, if conducted for treatment or care ~~purposes;~~ purposes.

(4)d. Care ~~planning; and~~ planning.

(5)e. Communication with a family member or a health-care professional or entity, regarding a specific resident.

(d)(4) “Division” ~~shall mean~~ means the Division of Health Care Quality.

(e)(5) "Nursing services direct caregivers" ~~shall mean~~ means certified nursing assistants, licensed practical nurses, registered nurses, advanced practice ~~nurses~~ nurses, and nursing supervisors when and only when providing direct care of residential health facility residents. The director of nursing ("DON"), assistant director of nursing ("ADON"), ~~and/or or~~ registered nurse assessment coordinator ("RNAC") may be designated as a nursing services direct caregiver and counted in the direct care hours and minimum staffing ratios when exigent circumstances require that they discontinue their administrative and managerial duties in order to provide direct care. Within 24 hours of the exigent ~~circumstance(s)~~ circumstance that ~~require that~~ requires the DON, ~~ADON and/or~~ ADON, or RNAC provide direct care, the facility shall notify the Division in writing of this emergency situation and provide documentation of the amount of direct care time that was provided by the DON, ~~ADON and/or~~ ADON, or RNAC.

(f)(6) "Nursing supervisor" ~~shall mean~~ means an advanced practice nurse or registered nurse who is assigned to supervise and evaluate nursing services direct caregivers no less than ~~25 percent~~ 25% of the nursing supervisor's time per shift. Up to ~~75 percent~~ 75% of the nursing supervisor's time per shift may be spent providing direct care. Registered nurses ~~(RN)~~ ("RN") holding the following positions may provide the supervision required of a nursing supervisor, and the supervision may be counted towards the minimum ~~25 percent~~ 25% supervision required per shift:

(1)a. Director of nursing ("DON").

(2)b. Assistant director of nursing ("ADON").

(3)c. Registered nurse assessment coordinator ("RNAC").

(4)d. Director of in-service education (RN).

(5)e. Quality improvement coordinator nurse (if an RN).

(6)f. Nursing home administrator (if an RN).

An individual serving as a nursing supervisor must be an employee of the facility, thus excluding temporary employment agency personnel from serving in this capacity unless exigent circumstances exist. The term "exigent circumstances" means a short-term emergency or other unavoidable situation, and all reasonable alternatives to the use of a temporary employee as a nursing supervisor have been exhausted. Within 24 hours of the exigent circumstances that require the use of temporary employment agency staffing to fill a nursing supervisor position in a residential health facility, the facility shall notify the Division in writing of the exigent circumstances and the expected duration. For any shift that exceeds the minimum RN/LPN shift ratio mandated by § 1162 of this title, the amount of RN time that exceeds the minimum ratio may be counted towards the minimum ~~25 percent~~ 25% supervision required for that shift; provided, however, that said RN time was dedicated to supervisory functions. For those facilities that are not required by state or federal regulations to have a registered nurse on duty on each shift, a licensed practical nurse with 3 years

long-term care experience may serve as a nursing supervisor, provided that no registered nurse is on duty. There shall be a nursing supervisor on duty and on-site at all times. By June 1, 2002, the Nursing Home Residents Quality Assurance Commission shall issue to the Governor and to the General Assembly a report evaluating the requirement that nursing supervisors spend a minimum of ~~25 percent~~ 25% of their time on supervisory functions. The purpose of the report is to determine if the required minimum amount of supervision time is appropriate and necessary, and whether it should be adjusted.

~~(g)(7)~~ “Residential health facility” ~~shall mean~~ means any facility that provides long-term health-related care and nursing services to individuals who do not require the degree of care and treatment that a hospital is designed to provide. These are those facilities, licensed pursuant to this chapter, ~~that:~~ that provide any of the following:

~~(1) Provide skilled~~ a. Skilled nursing services to persons who require medical or nursing ~~care; or care.~~

~~(2) Provide nursing~~ b. Nursing services above the level of room and board to those who, because of a mental or physical condition, routinely require these services.

Also included are units, licensed pursuant to this chapter, of facilities that provide active treatment and health and rehabilitation services to persons with ~~mental retardation~~ developmental disabilities or related conditions, in which care is delivered to residents in accordance with medical plans of care. This definition does not include group homes for ~~the mentally ill, mentally retarded~~ persons with developmental disabilities, persons with mental illness, or persons with AIDS, rest family care homes, neighborhood homes, rest/residential health facilities, assisted living facilities and intermediate care facilities that, as of March 1, 1999, were solely private pay, provided they remain exclusively intermediate care facilities.

Section 28. Amend § 3003L, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3003L. Definitions.

For purposes of this chapter:

(6) “Health-care provider” means a licensed physician (doctor of medicine or doctor of osteopathic medicine), a physician assistant, or an advanced practice registered nurse, who is trained and experienced in the evaluation, management, and care of concussions, or such other licensed health-care professional who is trained and experienced in the evaluation, management, and care of concussions, as defined by the ~~Division, in consultation with the Council,~~ through regulation. Division.

Section 29. Amend § 3001Q, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3001Q. Definitions [Effective July 1, 2025].

For purposes of this chapter:

(8) “Health-care provider” means a facility that provides ~~long-term, acute, and outpatient health-care services~~
~~under Chapter 79 of Title 29.~~ “long-term, acute, or outpatient health-care services” as defined in § 7971 of Title 29.

Section 30. Amend § 4769, Title 16 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 4769. Criminal immunity for persons who suffer or report an alcohol or drug overdose or other life threatening
medical emergency.

(a) For purposes of this chapter:

(1) “Medical provider” means the person whose professional services are provided to a person experiencing
an overdose or other life-threatening medical emergency by a licensed, registered or certified health-care professional
who, acting within ~~his or her~~ the health-care professional’s lawful scope of practice, may provide diagnosis, treatment
or emergency services.

(b) A person who is experiencing an overdose or other life-threatening medical emergency and anyone (including
the person experiencing the emergency) seeking medical attention for that person shall not be arrested, charged or
prosecuted for an offense for which they have been granted immunity pursuant to subsection (c) ~~and/or~~ or (d) of this
section, or subject to the revocation or modification of the conditions of probation, ~~if~~ if all of the following conditions are
met:

(1) The person seeking medical attention reports in good faith the emergency to law enforcement, the ~~9-1-1~~
911 system, a poison control center, or to a medical provider, or if the person in good faith assists someone so
~~reporting; and reporting.~~

Section 31. Amend § 5520, Title 16 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 5520. Liability for maintenance of patient; collection remedies.

(d) The Department may also proceed for the recovery of the moneys necessary for the care, maintenance and
support in an action to be brought in any court of competent jurisdiction in the name of the Department of Health and
Social Services or by petition to the Court of Chancery if the patient has been ascertained to be mentally ~~incompetent~~
incompetent, or mentally retarded to be a person with developmental disabilities, by inquisition duly held.

Section 32. Amend § 9802, Title 16 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 9802. Definitions [Effective until July 17, 2028].

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: For purposes of this chapter:

(1) “Administrator” ~~shall mean~~ means the program chief of the paramedic services responsible for advanced life support and the administration of the Delaware Paramedic Services Act; this chapter.

(2) “Advanced life support” (ALS) ~~shall have the same definition as is set forth in Chapter 97 of this title;~~ means as defined in § 9702 of this title.

(3) “Basic life support” (BLS) ~~shall have the same definition as is set forth in Chapter 97 of this title;~~ means as defined in § 9702 of this title.

(4) “Board” ~~shall mean~~ means the Board of Medical Licensure and Discipline; Discipline.

(6) “County” or “counties” ~~shall refer mean,~~ singularly or collectively to collectively, New Castle, ~~Kent Kent,~~ and Sussex Counties of ~~the State;~~ this State.

(7) “County paramedic service” ~~shall mean~~ means the paramedic service operated pursuant to this chapter by a county with its own employees or under contract with another governmental ~~entity;~~ entity.

(10) “Department” ~~shall mean~~ means the Delaware Department of Health and Social ~~Services;~~ Services.

(11) “Emergency medical services (EMS) provider” ~~shall mean~~ means individual providers certified by the Delaware State Fire Prevention Commission or the Office of EMS, or emergency medical dispatchers certified by the National Academy of Emergency Medical Dispatch.

(12) “Emergency medical services (EMS) provider agency” ~~shall mean~~ means a provider agency certified by the Delaware State Fire Prevention Commission or the Office of EMS, or an emergency medical dispatch center under contract with the Department of Safety and Homeland Security.

(13) “Emergency medical unit” ~~shall mean~~ means an ambulance, rescue ~~vehicle~~ vehicle, or any other specialized vehicle staffed by EMS providers and other certified or licensed medical care providers, and utilized solely for providing mobile pre-hospital care and other emergency medical ~~treatment;~~ treatment.

(15) “Medical command facility” ~~shall mean~~ means the distinct unit within a hospital which meets the operational, ~~staffing~~ staffing, and equipment requirements established by the Division of Public Health for providing medical control to the EMS providers. Any hospital that operates an emergency medical facility and desires to be designated as a medical command facility shall maintain and staff ~~such~~ the facility on its premises and at its own expense with the exception of base station communication devices which shall be an authorized shared expense pursuant to the provisions of this ~~chapter;~~ chapter.

(16) “Medical control” ~~shall mean means~~ an order or directive given to an EMS provider by an authorized medical control physician. These orders or directives shall normally be provided from a specifically authorized and designated medical command facility with such medical supervision supplying professional support to the EMS provider through radio or telephonic communication for on-scene and in-transit basic and advanced life support ~~services; services.~~

(17) “Medical control physician” ~~shall mean means~~ any physician certified by the American Board of Emergency Medicine or the American Board of Osteopathic Emergency Medicine, or their successors, or a physician certified in Advanced Trauma Life Support (ATLS), Advanced Cardiac Life Support (ACLS) and Pediatric Advanced Life Support (PALS) or other courses approved by the Office of Emergency Medical Services who is credentialed by the hospital within which a medical command facility is located and who is authorized by the medical command facility to give medical control commands via radio or other telecommunication devices to an EMS provider. When a medical control physician establishes contact with an EMS provider, the EMS provider shall, solely for the purpose of compliance with the Medical Practice Act [Chapter 17 of Title 24], be considered to be operating under the license of said medical control ~~physician; physician.~~

(18) “Office” ~~shall mean means~~ the Office of Emergency Medical Services, of the Division of Public Health, Department of Health and Social ~~Services; Services.~~

(19) “Paramedic staff hour” ~~shall mean means~~ 1 full hour of a paramedic on duty.

(21) “Pre-hospital care” ~~shall mean means~~ any emergency medical service, including advanced life support, rendered by an emergency medical unit before and during transportation to a hospital or other facility, and upon arrival at the facility until such care is assumed by the facility’s ~~staff; staff.~~

(22) “Service and/or training reciprocity agreements” ~~shall mean means~~ written agreements negotiated between 2 counties or between a county and an adjoining state or a governmental entity of an adjoining state and approved pursuant to the provisions of this chapter which provide for the scheduled delivery of paramedic services by paramedics to citizens of this State or a neighboring state by personnel certified to render such services by this State or a neighboring state, or such similar agreements as are required by and between the counties of this State, in order to effectively and efficiently deliver paramedic services. Such agreements may also include provisions that provide for the temporary rotation of paramedics ~~and/or or~~ equipment between the counties of this State in order to provide such personnel with proper experience and training opportunities, address seasonal demands, or adequately respond to a disaster or severe emergency incident. All such agreements shall include any financial terms, or other considerations included as part of the ~~agreement; agreement.~~

(23) "State EMS Medical Director" ~~shall mean~~ means a physician who is board-certified by the American Board of Emergency Medicine ~~and/or~~ or by the Osteopathic Board of Emergency Medicine and who shall be the chief physician for the statewide emergency medical system and under whose license all EMS providers shall operate for the purpose of delivering the standing orders of the statewide standard treatment ~~protocol~~; protocol.

(24) "Statewide ALS treatment protocol" ~~shall mean~~ means written and uniform treatment and care plans for emergency and critical patients statewide that constitute the standing orders of paramedics. The treatment protocol for advanced life support must be approved and signed by the State EMS Medical Director and the Director of the Division of Public Health or, if the Director is not a licensed physician or advanced practice registered nurse, a licensed physician or advanced practice registered nurse designated by the Director and employed by the Division. The treatment protocol shall be prepared by the Board of Medical Licensure and Discipline. In preparing and, from time to time, amending the statewide ALS treatment protocol, the Board shall consult with the State EMS Medical Director and the ALS Standards Committee of the Board of Medical Licensure and Discipline.

(25) "Statewide BLS treatment protocol" ~~shall mean~~ means written and uniform treatment and care plans for emergency and critical patients statewide that constitute the standing orders of basic life support providers. The treatment protocol shall be prepared by the Board of Medical Licensure and Discipline. The treatment protocol for basic life support must be approved and signed by the State EMS Medical Director, the BLS Medical Director and the Director of the Division of Public Health or, if the Director is not a licensed physician or advanced practice registered nurse, a licensed physician or advanced practice registered nurse designated by the Director and employed by the Division. The treatment protocol for basic life support shall be adopted and enacted by the State Fire Prevention Commission. In preparing and, from time to time, amending statewide BLS treatment protocol, the Board shall consult with the EMS Medical Director, the ALS Standards Commission and the State Fire Prevention Commission. The Statewide BLS treatment protocol shall be adopted by June 30, 2000, and in use by all EMS providers by January 1, 2002.

Section 33. Amend § 9802, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9802. Definitions [Effective July 17, 2028].

~~The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~ For purposes of this chapter:

(1) "Administrator" ~~shall mean~~ means the program chief of the paramedic services responsible for advanced life support and the administration of ~~the Delaware Paramedic Services Act; this chapter.~~

(2) “Advanced life support” (ALS) ~~shall have the same definition as is set forth in Chapter 97 of this title;~~
means as defined in § 9702 of this title.

(3) “Basic life support” (BLS) ~~shall have the same definition as is set forth in Chapter 97 of this title; means~~
as defined in § 9702 of this title.

(4) “Board” ~~shall mean means~~ the Board of Medical Licensure and ~~Discipline; Discipline.~~

(6) “County” or “counties” ~~shall refer mean, singularly or collectively collectively, to New Castle, Kent Kent,~~
and Sussex Counties of ~~the State; this State.~~

(7) “County paramedic service” ~~shall mean means~~ the paramedic service operated pursuant to this chapter by
a county with its own employees or under contract with another governmental ~~entity; entity.~~

(10) “Department” ~~shall mean means~~ the Delaware Department of Health and Social ~~Services; Services.~~

(11) “Emergency medical services (EMS) provider” ~~shall mean means~~ individual providers certified by the
Delaware State Fire Prevention Commission or the Office of EMS, or emergency medical dispatchers certified by the
National Academy of Emergency Medical Dispatch.

(12) “Emergency medical services (EMS) provider agency” ~~shall mean means~~ a provider agency certified by
the Delaware State Fire Prevention Commission or the Office of EMS, or an emergency medical dispatch center under
contract with the Department of Safety and Homeland Security.

(13) “Emergency medical unit” ~~shall mean means~~ an ambulance, rescue ~~vehicle vehicle,~~ or any other
specialized vehicle staffed by EMS providers and other certified or licensed medical care providers, and utilized solely
for providing mobile pre-hospital care and other emergency medical ~~treatment; treatment.~~

(15) “Medical command facility” ~~shall mean means~~ the distinct unit within a hospital which meets the
operational, ~~staffing staffing,~~ and equipment requirements established by the Division of Public Health for providing
medical control to the EMS providers. Any hospital that operates an emergency medical facility and desires to be
designated as a medical command facility shall maintain and staff ~~such the~~ facility on its premises and at its own
expense with the exception of base station communication devices which shall be an authorized shared expense
pursuant to the provisions of this ~~chapter; chapter.~~

(16) “Medical control” ~~shall mean means~~ an order or directive given to an EMS provider by an authorized
medical control physician. These orders or directives shall normally be provided from a specifically authorized and
designated medical command facility with such medical supervision supplying professional support to the EMS
provider through radio or telephonic communication for on-scene and in-transit basic and advanced life support
~~services; services.~~

(17) "Medical control physician" ~~shall mean~~ means any physician certified by the American Board of Emergency Medicine or the American Board of Osteopathic Emergency Medicine, or their successors, or a physician certified in Advanced Trauma Life Support (ATLS), Advanced Cardiac Life Support (ACLS) and Pediatric Advanced Life Support (PALS) or other courses approved by the Office of Emergency Medical Services who is credentialed by the hospital within which a medical command facility is located and who is authorized by the medical command facility to give medical control commands via radio or other telecommunication devices to an EMS provider. When a medical control physician establishes contact with an EMS provider, the EMS provider shall, solely for the purpose of compliance with the Medical Practice Act [Chapter 17 of Title 24], be considered to be operating under the license of said medical control ~~physician;~~ physician.

(18) "Office" ~~shall mean~~ means the Office of Emergency Medical Services, of the Division of Public Health, Department of Health and Social ~~Services;~~ Services.

(19) "Paramedic staff hour" ~~shall mean~~ means 1 full hour of a paramedic on duty.

(21) "Pre-hospital care" ~~shall mean~~ means any emergency medical service, including advanced life support, rendered by an emergency medical unit before and during transportation to a hospital or other facility, and upon arrival at the facility until such care is assumed by the facility's ~~staff;~~ staff.

(22) "Service and/or training reciprocity agreements" ~~shall mean~~ means written agreements negotiated between 2 counties or between a county and an adjoining state or a governmental entity of an adjoining state and approved pursuant to the provisions of this chapter which provide for the scheduled delivery of paramedic services by paramedics to citizens of this State or a neighboring state by personnel certified to render such services by this State or a neighboring state, or such similar agreements as are required by and between the counties of this State, in order to effectively and efficiently deliver paramedic services. Such agreements may also include provisions that provide for the temporary rotation of paramedics ~~and/or or~~ equipment between the counties of this State in order to provide such personnel with proper experience and training opportunities, address seasonal demands, or adequately respond to a disaster or severe emergency incident. All such agreements shall include any financial terms, or other considerations included as part of the ~~agreement;~~ agreement.

(23) "State EMS Medical Director" ~~shall mean~~ means a physician who is board-certified by the American Board of Emergency Medicine ~~and/or or~~ by the Osteopathic Board of Emergency Medicine and who shall be the chief physician for the statewide emergency medical system and under whose license all EMS providers shall operate for the purpose of delivering the standing orders of the statewide standard treatment ~~protocol;~~ protocol.

(24) “Statewide ALS treatment protocol” ~~shall mean~~ means written and uniform treatment and care plans for emergency and critical patients statewide that constitute the standing orders of paramedics. The treatment protocol for advanced life support must be approved and signed by the State EMS Medical Director and the Director of the Division of Public Health, Department of Health and Social Services. The treatment protocol shall be prepared by the Board of Medical Licensure and Discipline. In preparing and, from time to time, amending the statewide ALS treatment protocol, the Board shall consult with the State EMS Medical Director and the ALS Standards Committee of the Board of Medical Licensure and Discipline.

(25) “Statewide BLS treatment protocol” ~~shall mean~~ means written and uniform treatment and care plans for emergency and critical patients statewide that constitute the standing orders of basic life support providers. The treatment protocol shall be prepared by the Board of Medical Licensure and Discipline. The treatment protocol for basic life support must be approved and signed by the State EMS Medical Director, the BLS Medical Director and the Director of the Division of Public Health, Department of Health and Social Services. The treatment protocol for basic life support shall be adopted and enacted by the State Fire Prevention Commission. In preparing and, from time to time, amending statewide BLS treatment protocol, the Board shall consult with the EMS Medical Director, the ALS Standards Commission and the State Fire Prevention Commission. The Statewide BLS treatment protocol shall be adopted by June 30, 2000, and in use by all EMS providers by January 1, 2002.

Section 34. Amend § 9903, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9903. Duties and authority of the Commission.

(j) The Commission shall be responsible for the administration of a Health Care Provider Loan Repayment Program (HCPLRP). The HCPLRP must be administered consistent with all of the following guidelines:

(4) The award of health care provider loan repayment grants must be limited to the recruitment and retention of new primary care ~~and or~~ dental providers in ambulatory and outpatient settings. For purposes of this paragraph (j)(4), a ~~new~~ “new primary care and or dental provider provider” means any of the following providers who have completed graduate education within 2 years of the application for a health care provider loan repayment grant being submitted:

c. Dental clinicians possessing a DDS or DMD and practicing general, pediatric, or public health dentistry.

Section 35. Amend § 10203, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

556 § 10203. Powers and duties of the Office.

557 (b) The Office shall register the 2-1-1 Community Social Services Helpline with the ~~9-1-1~~ 911 Committee
558 established by § 10004(e) of this title, all phone companies, the Association of Information and Referral Services, and the
559 United Way of America.

560 Section 36. Amend § 701, Title 18 of the Delaware Code by making deletions as shown by strike through and
561 insertions as shown by underline as follows:

562 § 701. Fee schedule.

563 Except as provided herein or otherwise by law, the Commissioner shall collect, in advance, fees, costs and
564 miscellaneous charges as follows:

565 (23) ~~Insurance producer~~ (~~§ 1702(i)~~ “Insurance producer” (§ 1702 of this title), ~~limited~~ “limited line credit
566 insurance producer (~~as defined in § 1702~~ producer” (§ 1702 of this title), ~~limited~~ “limited lines producer (~~as defined in~~
567 § 1702 producer” (§ 1702 of this ~~title~~) title), and miscellaneous limited lines producer (§ 1708(f) of this title).

568 f. One-time appointment of insurance producer, limited line credit insurance producer, limited lines
569 ~~producer~~ producer, and miscellaneous limited line producer (§ 1715 of this title), each
570 insurer.....25

571 Section 37. Amend § 1702, Title 18 of the Delaware Code by making deletions as shown by strike through and
572 insertions as shown by underline as follows:

573 § 1702. Definitions.

574 For purposes of this chapter:

575 ~~(a)~~(1) “Adjuster” means a licensee of the Department who, as an independent contractor or on behalf of an
576 independent contractor, insurer, self-insurer, producer or managing general agent, investigates and/or negotiates
577 settlement of claims arising under insurance contracts.

578 ~~(b)~~(2) “Agent of the insurer” means a licensed producer of the Department appointed by an insurer to sell,
579 solicit or negotiate applications for policies of insurance on its behalf and, if authorized to do so by the insurer, to issue
580 conditional receipts.

581 ~~(c)~~(3) “Appraiser” means a licensee of the Department who assesses property damage to motor vehicles.

582 ~~(d)~~(4) “Apprentice” means a licensee of the Department who is qualified in all respects as an adjuster or
583 appraiser, except as to experience, education and/or training.

584 ~~(e)~~(5) “Broker of insured” means a licensed producer of the Department who for compensation negotiates on
585 behalf of others contracts for insurance from companies to whom such licensed producer is not appointed.

~~(f)~~(6) "Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity.

~~(g)~~(7) "Fraternal representative" means a licensee of the Department who is appointed or authorized to act for a society or fraternal organization to sell, solicit or negotiate, or make a life insurance, accident, or health insurance or annuity contract for no compensation except as specifically exempted from this requirement by § 6233 of this title.

~~(h)~~(8) "Home state" means the District of Columbia or any state or territory of the United States in which an insurance producer, adjuster or appraiser maintains a principal place of residence or principal place of business and is licensed to act as an insurance producer, adjuster or appraiser.

~~(i)~~(9) "Insurance producer" means a person required to be licensed under the laws of this State to sell, solicit or negotiate contracts of insurance or annuity or the lines of authority authorized within the scope of such license. For the purposes of this title the terms "insurance agent," "insurance broker," and "insurance consultant" shall be used interchangeably with the term "insurance producer."

~~(j)~~(10) "License" means a document issued by this State's Insurance Commissioner authorizing a person to act as an insurance producer, adjuster or appraiser for the lines of authority specified in the document. The license itself does not create any authority, actual, apparent or inherent, in the holder to represent or commit an insurance carrier.

~~(k)~~(11) "Licensee" means any person issued a license pursuant to this chapter.

~~(l)~~(12) "Limited line credit insurance" includes credit life, credit disability, credit property, credit unemployment, involuntary unemployment, mortgage life, mortgage guaranty, mortgage disability, guaranteed automobile protection (gap) insurance and any other form of insurance offered in connection with an extension of credit that is limited to partially or wholly extinguishing that credit obligation that the Insurance Commissioner determines should be designated a form of limited line credit insurance.

~~(m)~~(13) "Limited line credit insurance producer" means a person who sells, solicits or negotiates 1 or more forms of limited line credit insurance coverage to individuals through a master, corporate, group or individual policy.

~~(n)~~(14) "Limited lines insurance" means those lines of insurance defined in § 1707(b) of this title or any other line of insurance that the Insurance Commissioner deems necessary to recognize for the purposes of complying with § 1708(e) of this title.

~~(o)~~(15) "Limited lines producer" means a person authorized by the Insurance Commissioner to sell, solicit or negotiate limited lines insurance.

~~(p)~~(16) "Negotiate" means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms or

conditions of the contract, provided that the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers.

~~(q)~~(17) "Person" means an individual or a business entity.

~~(r)~~(18) "Portable electronics insurance" has the meaning set forth in § 2051 of this title.

~~(s)~~(19) "Revocation" means recalling or taking back an insurance license or licenses for a minimum period of 12 months. Any insurer appointments of such license shall likewise be revoked. No individual whose license is revoked shall be issued another license without first complying with all requirements of § 1706 of this title.

~~(t)~~(20) "Self-service storage insurance" means insurance offered in connection with and incidental to the rental of space at a self-service storage facility.

~~(u)~~(21) "Sell" means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurance company.

~~(v)~~(22) "Solicit" means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular company.

~~(w)~~(23) "Suspension" means to bar temporarily the privileges of an insurance license or licenses granted under Chapter 17 of this title, for a maximum of 12 months. A suspension shall also include a suspension of the appointment of such licensee. Upon the expiration of the suspension period and upon satisfactory completion of such terms and conditions as the Commissioner has imposed pursuant to the suspension, all licenses and appointments shall be reinstated.

~~(x)~~(24) "Termination" means the cancellation of the relationship between a licensee and the insurer or the termination of a licensee's authority to transact insurance.

~~(y)~~(25) "Transact" shall have the meaning set forth in § 103 of this title and, for purposes of this chapter shall include negotiating, selling and soliciting insurance and settling and/or adjusting claims under policies.

~~(z)~~(26) "Travel insurance" means insurance coverage for personal risks incident to planned travel, including ~~but not limited to~~ any of the following:

~~(1)~~a. Interruption or cancellation of trip or event.

~~(2)~~b. Loss of baggage or personal effects.

~~(3)~~c. Damages to accommodations or rental vehicles.

~~(4)~~d. Sickness, accident, disability or death occurring during travel.

~~(5)~~e. Emergency evacuation.

~~(6)~~f. Repatriation of remains.

(7)g. Any other contractual obligations to indemnify or pay a specified amount to the traveler upon determinable contingencies related to travel as approved by the Commissioner.

“Travel insurance” does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting 6 months or longer, including for example, those working or residing overseas as an expatriate or military personnel being deployed, or any other product that requires a specific insurance producer license.

(aa)(27) “Uniform Business Entity Application” means the current version of the NAIC National Association of Insurance Commissioners (NAIC) Uniform Business Entity Application for resident and nonresident business entities.

(bb)(28) “Uniform Application” means the current version of the NAIC Uniform Application for resident and nonresident producer licensing.

Section 38. Amend § 1750, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1750. Definitions.

For the purposes of §§ ~~1750-1761~~ 1750 through 1761 of this title, the following terms have the meanings indicated.

(1) “Adjuster” means an adjuster as defined in ~~§ 1702(a)~~ 1702 of this title.

Section 39. Amend § 1774, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1774. Policy.

Travel insurance may be provided ~~under an individual, group, or blanket policy,~~ to a “primary policyholder,” as “group travel insurance,” or as “blanket travel insurance,” as those terms are defined in § 5603 of this title.

Section 40. Amend § 5603, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5603. Definitions.

For purposes of this chapter:

(a)(1) “Aggregator site” means a website that provides access to information regarding insurance products from more than 1 insurer, including product and insurer information, for use in comparison shopping.

(b)(2) “Blanket travel insurance” means a policy of travel insurance issued to any eligible group providing coverage for specific classes of persons defined in the policy with coverage provided to all members of the eligible group without a separate charge to individual members of the eligible group.

(e)(3) "Cancellation fee waiver" means a contractual agreement between a supplier of travel services and its customer to waive some or all of the nonrefundable cancellation fee provisions of the supplier's underlying travel contract with or without regard to the reason for the cancellation or form of reimbursement. A "cancellation fee waiver" is not insurance.

~~(d)(4)~~ "Commissioner" ~~shall have the meaning stated~~ means as defined in § 102 of this title.

(e)(5) Solely for the purposes of travel insurance, "eligible group" means 2 or more persons who are engaged in a common enterprise, or have an economic, educational, or social affinity or relationship, including any of the following:

(1)a. Any entity engaged in the business of providing travel or travel services, including: tour operators, lodging providers, vacation property owners, hotels and resorts, travel clubs, travel agencies, property managers, cultural exchange programs, and common carriers or the operator, owner, or lessor of a means of transportation of passengers, including airlines, cruise lines, railroads, steamship companies, and public bus carriers, wherein with regard to any particular travel or type of travel or travelers, all members or customers of the group must have a common exposure to risk attendant to such travel.

(2)b. Any college, school, or other institution of learning, covering students, teachers, employees, or volunteers.

(3)c. Any employer covering any group of employees, volunteers, contractors, board of directors, dependents, or guests.

(4)d. Any sports team, camp, or sponsor thereof, covering participants, members, campers, employees, officials, supervisors, or volunteers.

(5)e. Any religious, charitable, recreational, educational, or civic organization, or branch thereof, covering any group of members, participants, or volunteers.

(6)f. Any financial institution or financial institution vendor, or parent holding company, trustee, or agent of or designated by 1 or more financial institutions or financial institution vendors, including accountholders, credit card holders, debtors, guarantors, or purchasers.

(7)g. Any incorporated or unincorporated association, including labor unions, having a common interest, constitution and bylaws, and organized and maintained in good faith for purposes other than obtaining insurance for members or participants of such association covering its members.

(8)h. Any trust or the trustees of a fund established, created or maintained for the benefit of and covering members, employees or customers, of 1 or more associations meeting the requirements of paragraph ~~(e)(7)~~ (5)g. of

this section, subject to the Commissioner's permitting the use of a trust and the State's premium tax provisions in § 5604 of this title.

~~(9)~~i. Any entertainment production company covering any group of participants, volunteers, audience members, contestants, or workers.

~~(10)~~j. Any volunteer fire department, ambulance, rescue, police, court, or any first aid, civil defense, or other such volunteer group.

~~(11)~~k. Preschools, daycare institutions for children or adults, and senior citizen clubs.

~~(12)~~l. Any automobile or truck rental or leasing company covering a group of individuals who may become renters, lessees, or passengers defined by their travel status on the rented or leased vehicles. The common carrier, the operator, ~~owner~~ owner, or lessor of a means of transportation, or the automobile or truck rental or leasing company, is the policyholder under a policy to which this section applies.

~~(13)~~m. Any other group where the Commissioner has determined that the members are engaged in a common enterprise, or have an economic, educational, or social affinity or relationship, and that issuance of the policy would not be contrary to the public interest.

~~(f)~~(6) "Fulfillment materials" means documentation sent to the purchaser of a travel protection plan confirming the purchase and providing the travel protection plan's coverage and assistance details.

~~(g)~~(7) "Group travel insurance" means travel insurance issued to any eligible group.

~~(h)~~(8) "Limited lines travel insurance producer" ~~shall have the meaning stated~~ means as defined in § 1771 of this title.

~~(i)~~(9) "Offer and disseminate" ~~shall have the meaning stated~~ means as defined in § 1771 of this title.

~~(j)~~(10) "Primary certificate holder", for purposes of § 5604 of this title, means an individual person who elects and purchases travel insurance under a group policy.

~~(k)~~(11) "Primary policyholder", for purposes of § 5604 of this title, means an individual person who elects and purchases individual travel insurance.

~~(l)~~(12) "Travel administrator" means a person who directly or indirectly underwrites, collects charges, collateral or premiums from, or adjusts or settles claims on residents of this State, in connection with travel insurance, except that a person shall not be considered a travel administrator if that person's only actions that would otherwise cause it to be considered a travel administrator are among any of the following:

~~(1)~~a. A person working for a travel administrator to the extent that the person's activities are subject to the supervision and control of the travel administrator.

(2)b. An insurance producer selling insurance or engaged in administrative and claims-related activities within the scope of the producer's license.

(3)c. A travel retailer offering and disseminating travel insurance and registered under the license of a limited lines travel insurance producer in accordance with § 1772 of this title.

(4)d. An individual adjusting or settling claims in the normal course of that individual's practice or employment as an attorney-at-law and who does not collect charges or premiums in connection with insurance coverage.

(5)e. A business entity that is affiliated with a licensed insurer while acting as a travel administrator for the direct and assumed insurance business of an affiliated insurer.

~~(m)~~(13) "Travel assistance services" means noninsurance services for which the consumer is not indemnified based on a fortuitous event, and where providing the service does not result in transfer or shifting of risk that would constitute the business of insurance. Travel assistance services include: security advisories; destination information; vaccination and immunization information services; travel reservation services; entertainment; activity and event planning; translation assistance; emergency messaging; international legal and medical referrals; medical case monitoring; coordination of transportation arrangements; emergency cash transfer assistance; medical prescription replacement assistance; passport and travel document replacement assistance; lost luggage assistance; concierge services; and any other service that is furnished in connection with planned travel. Travel assistance services are not insurance and not related to insurance.

~~(n)~~(14) "Travel insurance" ~~shall have the meaning stated~~ means as defined in § 1702 of this title.

~~(o)~~(15) "Travel protection plans" means plans that provide 1 or more of the following: travel insurance; travel assistance services; and cancellation fee waivers.

~~(p)~~(16) "Travel retailer" ~~shall have the meaning stated~~ means as defined in § 1771 of this title.

Section 41. Amend § 6701B, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6701B. Definitions.

~~As used in this chapter, the following words and terms have the following meanings:~~ For purposes of this chapter:

(14) "Paramedic" means a person who is employed by a ~~county paramedic service~~ "county paramedic service" as defined in ~~§ 9802(7)~~ § 9802 of Title 16, has been approved by the National Registry of Emergency Medical Technicians or the Commission on Accreditation of Allied Health Education Programs (CAAHEP), maintains Delaware certification, and is faithfully and actually performing service in ~~the~~ this State.

Section 42. Amend § 710, Title 19 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 710. Definitions.

For the purposes of this subchapter:

(5) “Domestic violence” means any act that would constitute a violation of § 1041 of Title 10, and for which an employer may request verification by an official ~~document~~ document, such as a court order or family medical leave record, from a domestic violence service provider, medical provider, mental health provider, ~~law enforcement, court order, or family medical leave~~ or law enforcement.

(27) “Sexual offense” means any act that would constitute a violation of § 761 of Title 11, and for which an employer may request verification by an official ~~document~~ document, such as a court order or family medical leave record, from a sexual violence service provider, medical provider, mental health provider, ~~law enforcement, court order, or family medical leave~~ or law enforcement.

(29) “Stalking” means any act that would constitute a violation of § 1312 of Title 11, and for which an employer may request verification by an official ~~document~~ document, such as a court order or family medical leave record, from a crime victim service provider, medical provider, mental health provider, ~~law enforcement, court order, or family medical leave~~ or law enforcement.

Section 43. Amend § 4803, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4803. Child restraint in motor vehicles [Effective June 30, 2024].

(c) A second or subsequent violation of this section shall be an offense punishable by a fine of \$25 for each violation. The failure to provide a child restraint system or seat belt for more than 1 child in the same vehicle at the same time, as required by this section, shall not be treated as a separate offense. Law enforcement should provide a referral to ~~an Office of Highway Safety~~ a car seat fitting station sanctioned by the Office of Highway Safety for guidance and education regarding proper use of a child restraint.

Section 44. Amend § 2502, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2502. Definitions.

For purposes of this chapter:

(23) “Practice of pharmacy” means the interpreting, evaluating, and dispensing of a practitioner’s or prescriber’s order. The “practice of pharmacy” includes the proper compounding, labeling, packaging, and dispensing

of a drug to a patient or the patient's agent, and administering a drug to a patient. The "practice of pharmacy" includes the application of the pharmacist's knowledge of pharmaceuticals, pharmacology, pharmacokinetics, drug and food interactions, drug product selection, and patient counseling. The "practice of pharmacy" also includes all of the following:

h. Administration of injectable medications, ~~biologicals and adult biologicals, and~~ immunizations pursuant to a valid prescription from a practitioner or ~~physician-approved~~ practitioner-approved protocol approved by a physician duly licensed in the State under subchapter III of Chapter 17 of this title or a nurse duly licensed in the State under Chapter 19 of this title. Upon request, a copy of the protocol will be made available to the designated prescriber or prescribers without cost. All vaccine administrations shall be reported to DelVAX within 72 hours of administration. This report to DelVAX shall include the patient's name, the name of the immunization, inoculations, or vaccinations administered, site of injection, lot and expiration, the facility that provided vaccination, and the date of administration, and shall be submitted electronically. Pharmacists, pharmacy interns, and nationally-certified pharmacy technicians who have completed an accredited training program, are currently trained in CPR, and have notified the Delaware Board of Pharmacy, may administer immunizations via a prescriber's order or protocol for patients 3 years of age and older.

Section 45. Amend § 2708, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2708. Qualifications of applicant; report to Attorney General; judicial review.

(a) An applicant who is applying for licensure under this chapter shall submit evidence, verified by oath and satisfactory to the Board, that such person:

(1) a. Applying for licensure as a surveyor intern has satisfied 1 of the following requirements:

1. Is a college senior or a graduate of a surveying program of 4 years or more; or

2. Is a graduate of a 4-year or more program as acceptable to the Board and has had at least ~~2 years~~ 4,000 hours of combined office and field experience in responsible charge of land surveying projects performed under the direct supervision of a professional land surveyor in the active practice of land surveying.

The required experience ~~shall not~~ may be achieved concurrently with the education requirement; or

3. Is a graduate of a surveying program of ~~2 years~~ 4,000 hours or more and has had at least ~~2 years~~ 4,000 hours of combined office and field experience in responsible charge of land surveying projects performed under the direct supervision of a professional land surveyor in the active practice of land surveying.

The required experience ~~shall not~~ may be achieved concurrently with the education requirement; or

4. Has ~~5.5 years~~ 11,000 hours of experience under the direct supervision of a professional land surveyor in the active practice of land surveying and has obtained Level IV Survey Technician Certification established by the National Society of Professional Surveyors — American Congress on Surveying and Mapping or similar certification acceptable to the Board.

b. Applying for licensure as a professional land surveyor has served as a surveyor intern with a specific record of ~~4 years~~, 8,000 hours, as said intern, of combined office and field experience in responsible charge of land surveying projects performed under the direct supervision of a professional land surveyor in the active practice of land surveying.

Section 46. Amend § 3708, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3708. Qualifications of applicant; report to Attorney General; judicial review.

(a) An applicant who is applying for licensure under this chapter shall submit evidence, verified by oath and satisfactory to the Board, that such person:

(3)a. For licensure as a hearing aid dispenser, shall submit evidence, verified by oath and satisfactory to the Board, that such person has met the current standards promulgated by the International Hearing Society or its successor. In addition, the applicant ~~shall~~ shall do all of the following:

~~a-1.~~ Provide verification of a high school diploma or its equivalent.

~~b-2.~~ Provide proof of successful completion of a national examination prepared by a national testing service and approved by the Division.

~~e-3.~~ Complete 6 months of training prior to taking the examination. The Board in its rules and regulations shall establish the content of the training and the frequency of direct supervision during the training period.

~~d-b.~~ Paragraphs ~~(a)(3)a.~~ and ~~e.~~ (a)(3)a.1. and (a)(3)a.3. of this section ~~herein do shall~~ not apply to applicants who are licensed audiologists.

Section 47. Amend § 3709, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3709. Examination.

(a) The examination described in § 3708(a)(2) and ~~(a)(3)b.~~ (a)(3)a.2. of this title shall be graded by the testing service providing the examinations. The passing score for all examinations shall be established by the testing agency.

Section 48. Amend § 221, Title 26 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 221. Telecommunications Relay Service Advisory Committee.

(b) The Telecommunications Relay Service Advisory Committee is composed of the following 11 members:

(3) The ~~9-1-1~~ 911 Administrator for the State, or a designee of the ~~9-1-1~~ 911 Administrator for the State.

Section 49. Amend § 904, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 904. Engrossment; duty of Secretary of the Senate and Chief Clerk of the House as to passed bills or resolutions.

(a)(1) If a bill or resolution is amended, the Division of Research shall prepare an engrossed copy of the bill or joint resolution for the Governor and publication in the Session ~~Laws and the simple~~ Laws. ~~The Division shall prepare an engrossed copy of the bill, joint resolution, simple resolution,~~ or concurrent resolution for publication on the General Assembly's website.

Section 50. Amend § 904, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 904. Engrossment; duty of Secretary of the Senate and Chief Clerk of the House as to passed bills or resolutions.

(a)(1) If a bill or resolution is amended, the Division of Legislative Services shall prepare an engrossed copy of the bill or joint resolution for the Governor and publication in the Session ~~Laws and the simple~~ Laws. ~~The Division shall prepare an engrossed copy of the bill, joint resolution, simple resolution,~~ or concurrent resolution for publication on the General Assembly's website.

Section 51. Amend § 5501, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5501. Definitions.

(l) ~~“9-1-1~~ “911 operator” means a call taker, dispatcher, manager, supervisor, or chief employed by the Delaware State Police or Delaware Capitol Police and responsible for the answering of ~~9-1-1~~ 911 emergency line calls or dispatching law-enforcement personnel and equipment, including personnel assigned to the Delaware State Police Headquarters Communication Center. Specific job titles included in the definition of ~~“9-1-1~~ “911 operator” are Manager, State Police Telecommunications; Assistant Manager, State Police Telecommunications; Emergency Communications Center Manager; Headquarters Communications Center Manager; Telecommunications Shift Supervisor; Senior Telecommunications Specialist (ERC); and Telecommunications Specialist (PSAP and HQ Communications).

Section 52. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5522. Eligibility for service pension.

(a) An employee shall become eligible to receive a service pension, beginning with the month after the employee has terminated employment, if:

(6) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5), and (12) of this title, regardless of age, and is a ~~9-1-1~~ 911 operator. The employee must have 25 years of credit service as a ~~9-1-1~~ 911 operator.

Section 53. Amend § 5527, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5527. Amount of ordinary service or disability pension [For application of this section, see 79 Del. Laws, c. 315, § 10].

(a)(1) The amount of the monthly service or disability pension payable to an employee or former employee shall be the sum of 2.0% of the employee's final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's period of credited service prior to January 1, 1997, plus 1.85% of the employee's final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's period of credited service after December 31, 1996. If the employee is a ~~9-1-1~~ 911 operator, then the amount of pension would also include 2.45% of the employee's final average compensation multiplied by years of service above 25 years. The amount payable to a participant who does not make the additional contribution provided in § 5501(j) of this title for years of credited service before 1977 shall be the sum of 2.0% of the employee's final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's period of credited service between January 1, 1977, and December 31, 1996, plus 2.0% of the employee's final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's period of credited service prior to January 1, 1977, provided that the maximum amount based on the service before 1977 is \$1,000, plus 1.85% of the employee's final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's period of credited service after December 31, 1996.

Section 54. Amend § 5543, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5543. Employee contributions.

(a)(1) Effective January 1, 1998, employee contributions to the Fund shall be 3% of total annual compensation in excess of \$6,000 provided, however, that post-2011 employees will pay an employee contribution rate of 5% of total annual compensation in excess of \$6,000. In no event shall total compensation during any calendar year in excess of \$6,000 be exempt from contributions.

(3) The employee contribution rate for a ~~9-1-1~~ 911 operator is 5% of annual compensation in excess of \$6,000; provided, however, that a ~~9-1-1~~ 911 operator who is also a post-2011 employee must pay an employee contribution rate of 7% of annual compensation in excess of \$6,000.

Section 55. Amend § 7914A, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7914A. The Governor's Commission on Community and Volunteer Services.

(c) *Commission members.* — The ~~Governor's~~ Commission is composed of ~~15-25~~ 15 to 25 voting members, as follows:

(1) *Required members.* — Not less than 10 nor more than 22 individuals representing the broad diversity of this State, including members from the public sector, the private nonprofit sector, and the business community. The Governor appoints each member under this paragraph (c)(1), except for the Secretary of the Department of Education, who is a member by virtue of position. At least 10 of the members under this paragraph (c)(1) must meet the requirements of 42 U.S.C. § 12638(c)(1) and (2) of the National and Community Service Act of 1990, as amended, as follows:

j. A representative of the volunteer sector.

(g) The Governor may remove a Governor-appointed Commission member ~~that the Governor appoints~~ for gross inefficiency, misfeasance, nonfeasance, malfeasance, or neglect of duty in office. A member is deemed in neglect of duty if the member has an unexcused absence from either 3 consecutive meetings or 4 out of 12 consecutive meetings. The Governor may consider the member to have resigned and may accept the member's resignation.

Section 56. Amend § 7970, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7970. Intent.

(a) It is the intent of the General Assembly that the primary purpose of this subchapter, known as the "Health Care Quality Act," is as follows:

(2) To promote the quality of care and quality of life for individuals receiving long-term, acute, ~~and~~ or outpatient health-care services.

Section 57. Amend § 7971, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7971. Division of Health Care Quality.

(b) *Definitions.* —

(5) “Long-term, acute, ~~and~~ or outpatient health-care services” means those services as defined in § 122(3)m., § 122(3)o., § 122(3)p., § 122(3)q., § 122(3)s., § 122(3)x., § 122(3)y., § 122(3)z., § 122(3)aa. of Title 16; Chapter 10 of Title 16; or Chapter 11 of Title 16.

Section 58. Amend § 9008C, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9008C. Powers, ~~duties~~ duties, and functions of the CIO.

The following shall be the responsibilities and functions of the CIO:

(1) To act as the head administrator of the Department and to ensure that Department carries out all of its statutory ~~duties~~; duties.

(2) To act as the Governor’s chief adviser on issues relating to ~~technology~~; technology.

(3) To serve as the Cabinet level executive for ~~both~~ the Department of Technology and ~~Information~~; Information.

(4) To develop partnerships with state agencies in executing agreed upon technology strategies, ~~plans~~ plans, and projects by ensuring the timely delivery of quality technology solutions, ~~products~~ products, and services on a cost effective basis, including setting and maintaining appropriate standards and managing relationships with, and the performance of, selected ~~third-party~~ third-party technology ~~vendors~~; vendors.

(5) To build, develop, ~~motivate~~ motivate, and retain a high performing team of technology professionals that will enable the State to achieve its technology vision, ~~strategies~~ strategies, and specific performance ~~objectives~~; objectives.

(6) Supervise, ~~direct~~ direct, and account for the administration and operation of the Department of Technology and Information and its subsections, facilities, ~~functions~~ functions, and ~~employees~~; employees.

(7) Appoint personnel as may be necessary for the administration and operation of the Department of Technology and Information within such limitations as may be imposed by ~~law~~; law.

(8) Establish, ~~consolidate~~ consolidate, or abolish such sections within the Department of Technology and Information or transfer or combine the powers, ~~duties~~ duties, and functions of the subsections within the Department of Technology and Information as the Chief Information Officer, with the approval of the Governor, may deem necessary, providing that all powers, ~~duties~~ duties, and functions required and assigned by law to the Department of Technology and Information shall be provided for and ~~maintained~~; maintained.

(9) Make and enter into any and all contracts, ~~agreements~~ agreements, or stipulations for equipment, ~~facilities~~ facilities, and support services, and retain, ~~employ~~ employ, and contract for the services of private and public

consultants, research and technical personnel and to procure by contract consulting, research, ~~technical~~ technical, and other services and facilities from public and private agencies in this State and other states, whenever the same shall be deemed by the Chief Information Officer to be necessary in the performance of the functions of the Department of Technology and Information; and necessary legal services shall be provided pursuant to Chapter 25 of this ~~title~~; title.

(10) Delegate any of the Chief Information Officer's powers, ~~duties~~ duties, or functions to a manager, except the power to remove employees of the Department of Technology and Information or to determine their ~~compensation~~; compensation.

(11) Establish and promulgate such rules and regulations governing the services and programs of the Department of Technology and Information and such other rules and regulations governing the administration and operation of the Department of Technology and Information as may be deemed necessary by the Chief Information Officer and which are not inconsistent with the federal and state ~~law~~; law.

(12) Maintain such facilities throughout the State as may be required for the effective and efficient operation of the Department of Technology and ~~Information~~; Information.

(13) Prepare a proposed budget for the operation of the Department of Technology and Information to be submitted for the consideration of the Director of the Office of Management and Budget, the ~~Governor~~ Governor, and the General Assembly as directed under this ~~chapter~~; chapter.

(14) Coordinate the activities of the Department of Technology and Information with those of other state agencies concerned with the services ~~provided~~; and provided.

(15) Have any and all other powers and duties as are necessary to administer the powers, ~~duties~~ duties, and functions of the Department of Technology and Information and implement the purposes of this subchapter.

Section 59. Amend § 9011D, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9011D. Division of Training and Human Resource Solutions.

(a) The Division of Training and Human Resource Solutions of the Department of Human Resources is hereby established having powers, ~~duties~~ duties, and functions as follows:

(3) The Division shall administer special training funds and associated programs for the benefit of state employees including the Blue Collar Training Program funds ~~pursuant to § 3902(2)b.~~ under § 3402(b)(2)b. of Title 19 to fund career training for state employees, and Chapter 60B of this title, First State Quality Improvement Fund.

Section 60. Amend § 9101, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9101. Cabinet Committee on State Planning Issues.

(a) ~~A~~ The Cabinet Committee on State Planning Issues ("Committee") is established and shall serve in an advisory capacity to the Governor. It shall be comprised of the following members or their respective designees:

(7) Such others as the Governor may designate.

(d) ~~The Cabinet~~ Committee shall submit a report on its activities to the Governor and the General Assembly by October 15 of each year, together with the recommendations for legislative ~~and/or~~ and administrative changes it deems desirable.

(e) ~~The Cabinet~~ Committee's proceedings shall be conducted in accordance with Chapter 100 of this title.

(f) ~~The Cabinet~~ Committee shall be assisted by staff designated by each participating agency, and shall work in cooperation with all federal, ~~State~~ State, and local agencies of government and with private organizations and individuals to obtain all necessary and relevant information for its assignments.

(g) There is hereby established the Office of State Planning Coordination within the Office of the Budget. The administrator and head of the Office of State Planning Coordination shall be the State Planning Coordinator who shall be qualified by training or experience to perform the duties of the office. The Office of State Planning Coordination shall assist in statewide planning matters, and it shall function as an advisory, ~~consultative~~ consultative, and coordinating office.

(1) The Office of State Planning Coordination shall provide staffing assistance to the ~~Cabinet Committee on State Planning Issues~~ Committee.

(2) The State Planning Coordinator shall serve as the secretary to the ~~Cabinet Committee on State Planning Issues~~ Committee.

Section 61. Amend § 10212, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 10212. Focused review.

(b) A focused review is conducted as follows:

(4) Committee staff shall conduct research based on the scope established under paragraph (b)(3) of this section and ~~another~~ any other issue, concern, defect, or problem that the Committee may request or as the research may indicate.

Section 62. Amend § 10214, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 10214. Committee recommendations; authority to recall entity.

(b) When the Committee has released an entity from full review or focused review, it may recall the entity to a public hearing before the Committee to consider making additional recommendations under subsection (a) of this section if ~~either~~ any of the following circumstances apply:

(3) The entity fails to submit to the Committee a report that the Committee requests with a status update on the implementation of a recommendation, on a date that the Committee determines.

Section 63. Amend § 1812, Title 30 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1812. Definitions.

The following words, ~~terms~~ terms, and phrases, when used in this subchapter, shall have the meanings ascribed to them herein, except where the context clearly indicates a different ~~meaning (singular includes plural)~~ meaning:

(18) “Taxpayer” shall include any “person,” as defined in this section, and shall include any individual or corporation taxable under Title 5, or taxable under either Chapter 11 or Chapter 19 of this title.

Section 64. Amend § 5365, Title 30 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5365. Shipping requirements.

(b) If the person accepting a purchase order for a delivery sale delivers ~~the~~ any tobacco product or tobacco substitute without using a delivery service, such person shall comply with all requirements of this subchapter applicable to a delivery service and shall be in violation of the provisions of this subchapter if such person fails to comply with any such requirement.

Section 65. Section 49 of this Act takes effect on November 6, 2024, contingent upon enactment of House Bill No. 288 of the 152nd General Assembly.

SYNOPSIS

Throughout 2023, the Code Revisors provided the General Assembly with potential technical corrections that the Code Revisors identified as the Code Revisors revised the Delaware Code to reflect legislation that was enacted by the 152nd General Assembly in 2023 or as the Code Revisors reviewed titles of the Code. While technical in nature, these changes are beyond the authority of the Code Revisors to make and can only be done by the General Assembly through legislation. This Act also includes technical corrections identified outside of those provided by the Code Revisors.

This Act requires a greater than majority vote for passage to err on the side of caution because some of the sections of the Delaware Code being revised may require a super-majority vote under the Delaware Constitution.

This Act also makes also makes basic technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Section 1. This section corrects a grouping and phrasing error in § 718(b) of Title 4 from House Bill No. 83 of the 136th General Assembly.

Section 2. This section corrects a stylistic error in § 1304 of Title 4, from House Bill No. 2 of the 152nd General Assembly, by removing the redundant words “but not limited to” following “including” as recommended by the Delaware Legislative Drafting Manual.

Sections 3 and 4. These sections correct errors in §§ 1314(b)(4)c. and 1354(e)(2) and (f), from House Bill No. 2 of the 152nd General Assembly, by making clear that the location of the licensed premises is relevant to the statutes, and not the location of the license itself.

Section 5. This section corrects a stylistic error in § 3311(c)(2) of Title 5, from House Bill No. 97 of the 152nd General Assembly, by removing the impression that the “officer” immediately following must also be a “controlling person” with respect to applicants.

Section 6. This section implements the intent of House Bill No. 131 of the 152nd General Assembly by deleting language in the concluding paragraph § 73-304(c) of Title 6 which had been improperly removed without striking in the original bill.

Section 7. This section corrects an error in § 7502A(c) of Title 7, from House Bill No. 190 of the 152nd General Assembly, by making it more clear that notice to the Chair of revocation of a representative or designee should come from the entity or official authorizing them to act as representative or designee.

Section 8. This section corrects a stylistic error in § 10002(16) of Title 7, from House Bill No. 99 of the 152nd General Assembly, by conforming the definition of “state agency” to the definition adopted in § 6902 of Title 29.

Section 9. This section corrects a stylistic error in § 1101A(3)b.7. of Title 9, from House Bill No. 11 of the 151st General Assembly, by conforming a “911 communications” reference to accepted style as approved by the Federal Communications Commission and the Delaware Legislative Drafting Manual.

Section 10. This section conforms § 1077(c) of Title 10, from Senate Bill No. 69 of the 137th General Assembly, to the requirements of § 608 of Title 29 by substituting language respectful to persons with disabilities.

Section 11. This section corrects an error in § 4319(b) of Title 10, from House Bill No. 167 of the 152nd General Assembly, by making clear that a CISM (consultation, risk assessment, education, intervention, and other crisis intervention services) team member or trained peer support member need not be requested to disclose proceedings, communications, and records in order to decline producing only one category of those items so listed.

Section 12. This section corrects an error in § 7209(a) of Title 10, from House Substitute No. 1 for House Bill No. 264 of the 151st General Assembly, by substituting “sexual violence protective order” (as referenced in § 7202 of Title 10) for the inaccurate reference to a “sexual violence protection order.”

Section 13. This section corrects an error in § 7708(a) of Title 10, from House Substitute No. 1 for House Bill No. 222 of the 149th General Assembly, by substituting “lethal violence protective order” (as referenced in § 7701 of Title 10) for the inaccurate reference to a “lethal violence protection order.”

Section 14. This section corrects stylistic errors in § 472(c) of Title 11, from House Substitute No. 2 for House Bill No. 142 of the 152nd General Assembly, by rearranging existing language so that all qualifying language appears before the affected legal categories listed within the statute and by numbering the included categories to conform to Delaware Legislative Drafting Manual style.

Section 15. This section corrects an error in § 612(d) of Title 11, from House Bill No. 343 of the 144th General Assembly, by recognizing in (d) the differing class C felony offense in paragraph (a)(12) of the section.

Section 16. This section corrects an error in § 832(b)(2)a. of Title 11, from House Bill No. 78 of the 150th General Assembly, by revising an inaccurate internal reference.

Section 17. This section corrects an error in § 1103D(a)(1)a. of Title 11, from House Bill No. 182 of the 152nd General Assembly, by correcting the impression that the definition of “torture” requires that the elements of §§ 1103, 1103A, 1103B, and 1103C all be present to satisfy paragraph (a)(1) of the section.

Section 18. This section corrects a stylistic error in § 1334(a)(2) of Title 11, from House Bill No. 57 of the 144th General Assembly, by conforming a “911 dispatchers” reference to accepted style as approved by the Federal Communications Commission and the Delaware Legislative Drafting Manual.

Sections 19 and 20. These sections correct an error in the present and future versions of § 1448(a)(11) of Title 11, from House Substitute No. 1 for House Bill No. 222 of the 149th General Assembly, by substituting “lethal violence protective order” (as referenced in Chapter 77 of Title 10) for the inaccurate reference to a “lethal violence protection order.”

Section 21. This section corrects an error in § 8404(a)(4)e. of Title 11, from House Bill No. 206 of the 152nd General Assembly, by adding the appropriate missing noun at the beginning of the paragraph and by conforming style to that recommended by the Delaware Legislative Drafting Manual.

Section 22. This section conforms § 8531(2)a. of Title 11, from House Bill No. 385 of the 146th General Assembly, to § 608 of Title 29 by substituting language respectful to persons with disabilities.

Section 23. This section makes corrections in § 1318(f)(1) and (2) of Title 14, from House Bill No. 60 and House Bill No. 61 of the 152nd General Assembly, by addressing a sentence fragment, conforming formatting to the Delaware Legislative Drafting Manual, and aligning the notification process in paragraph (f)(2) of the section with that described in paragraph (f)(1) of the section.

Section 24. This section makes corrections in § 2702(h)(1) and (j) of Title 14, from House Bill No. 3 of the 152nd General Assembly, by making clear that the differing definitions for an excused absence in paragraphs (h)(1) and (j)(1) of the section are exclusive to the subsections in which they appear and that the introductory paragraph to (j) of the section applies to that subsection alone and not to the entire statute.

Section 25. This section makes a correction in § 4143(f)(4) of Title 14, from House Bill No. 198 of the 151st General Assembly, by redesignating that paragraph as subsection (g) of the section due to the fact that the paragraph is the only one in subsection (f) of the section not concerned with educational programming.

Section 26. This section makes a corrections in § 1002A(9) of Title 16, from House Bill No. 403 of the 146th General Assembly, by conforming the language to the referenced facilities licensed in Chapter 11 of Title 16.

Section 27. This section corrects stylistic errors in § 1161 of Title 16 as enacted by Senate Bill No. 115 of the 140th General Assembly, and as later amended, by conforming the formatting and language to accepted Delaware Legislative Drafting Manual style and by substituting language respectful to persons with disabilities as required by § 608 of Title 29.

Section 28. This section implements the intent of House Substitute No. 1 for House Bill No. 193 of the 152nd General Assembly by striking language in § 3003L(6) of Title 16 which had been improperly removed without striking in the original bill.

Section 29. This section makes a correction in § 3001Q(8) of Title 16, from House Bill No. 51 of the 152nd General Assembly, by substituting a specific reference to the statute which defines “long-term, acute, or outpatient health-care services” for a reference to Chapter 79 of Title 29 generally.

Section 30. This section corrects stylistic errors in § 4769(a)(1) and (b) of Title 16, from House Bill No. 57 of the 144th General Assembly, by conforming a “911 system” reference to accepted style as approved by the Federal Communications Commission, by correcting gender-specific language, and by making adjustments in line with proper Delaware Legislative Drafting Manual style.

Section 31. This section conforms § 5520(d) of Title 16, from Chapter 534 of the 118th General Assembly, to the requirements of § 608 of Title 29 by substituting language respectful to persons with disabilities.

Sections 32 and 33. These sections correct stylistic errors in the present and future versions of § 9802 of Title 16 as enacted in Senate Substitute 1 to Senate Bill No. 1 of the 135th General Assembly, and as later amended, to conform to proper Delaware Legislative Drafting Manual style.

Section 34. This section makes a correction in § 9903(j)(4) of Title 16, from House Bill No. 98 of the 152nd General Assembly, by making clear that the loan grant recipients are limited to either new primary care providers or new dental providers, and not to those institutions only providing both services.

Section 35. This section corrects a stylistic error in § 10203(b) of Title 16, from House Bill No. 57 of the 144th General Assembly, by conforming a “911 Committee” reference to accepted style as approved by the Federal Communications Commission and the Delaware Legislative Drafting Manual.

Section 36. This section conforms language in § 701(23) of Title 18, from Senate Substitute No.1 for House Bill No. 146 of the 141st General Assembly, to that utilized in the referenced § 1702 of that title.

Section 37. This section conforms formatting and style in § 1702 of Title 18, from Senate Substitute No.1 for House Bill No. 146 of the 141st General Assembly, to that of the Delaware Legislative Drafting Manual.

Section 38. This section conforms language in § 1750(1) of Title 18, from Senate Substitute No. 1 for House Bill No. 146 of the 141st General Assembly, to proper Delaware Legislative Drafting Manual style.

Section 39. This section conforms language in § 1774 of Title 18, from House Bill No. 62 of the 152nd General Assembly, to that utilized in the referenced § 5603 of that title.

Section 40. This section conforms the formatting and style of § 5603 of Title 18, from House Bill No. 62 of the 152nd General Assembly, to that of the Delaware Legislative Drafting Manual.

Section 41. This section conforms the formatting and style of § 6701B of Title 18, from House Bill No. 160 of the 151st General Assembly, to that of the Delaware Legislative Drafting Manual.

Section 42. This section corrects § 710(5), (27), and (29) of Title 19, from House Bill No. 184 of the 152nd General Assembly, by addressing the mistaken impression in those paragraphs that one might request verification “from” a court order or family medical leave record rather by submission of those documents.

Section 43. This section makes clear in § 4803(c) of Title 21, from Senate Bill No. 68 of the 152nd General Assembly, that all car fitting stations sanctioned by the Office of Highway Services, not merely those operated by the Office, are eligible for referral for car seat guidance and education.

Section 44. This section implements the intent of House Bill No. 165 of the 152nd General Assembly by removing language from § 2502(23)h. of Title 24 which had been improperly removed from the original bill without appropriate striking.

Section 45. This section implements the intent of House Bill No. 117 of the 152nd General Assembly in § 2708(a)(1)a. and b. of Title 24 by substituting words inserted into the original bill without appropriate striking of present language and underlining of new insertions.

Sections 46 and 47. These sections implement the intent of Senate Bill No. 141 of the 152nd General Assembly in § 3708(a)(3)d. of Title 24 by making a substitution which had been inserted into the original bill without appropriate striking of present language and underlining of the new insertion and by accordingly adjusting an affected internal reference in § 3709(a) of Title 24.

Section 48. This section corrects stylistic errors in § 221(b)(3) of Title 26, from House Bill No. 69 of the 150th General Assembly, by conforming “911 Administrator for the State” references to accepted style as approved by the Federal Communications Commission and the Delaware Legislative Drafting Manual.

Sections 49 and 50. These sections conform the language in § 904(a)(1) of Title 29, from House Bill No. 453 of the 151st General Assembly, to current practices of the Division. As noted in Section 64 of this Act, Section 49 is contingent upon enactment of House Bill No. 288 of the 152nd General Assembly.

Sections 51 through 54. These sections correct stylistic errors in §§ 5501(l), 5522(a)(6), 5527(a)(1), and 5543(a)(3) of Title 29, from House Bill No. 179 of the 149th General Assembly, by conforming “911 operator” references to accepted style as approved by the Federal Communications Commission and the Delaware Legislative Drafting Manual.

Section 55. This section corrects language in § 7914A(c) and (g) of Title 29, from Senate Bill No. 49 of the 152nd General Assembly, by conforming a reference to the Governor’s Commission on Community and Volunteer Services in the introductory paragraph of (c) of the section to others in the statute and by correcting the impression in subsection (g) of the section that members may be appointed for having committed various enumerated misdeeds.

Sections 56 and 57. These sections make corrections in §§ 7970(a)(2) and 7971(b)(5) of Title 29, from House Bill No. 208 of the 149th General Assembly, in order to properly refer to “long-term, acute, or outpatient health-care services” rather than to “long-term, acute, and outpatient health-care services” as referenced in § 122 of Title 16.

Section 58. This section makes corrections in § 9008C of Title 29, from House Bill No. 129 of the 142nd General Assembly, by making stylistic changes to conform to appropriate Delaware Legislative Drafting Manual style and by removing an extraneous “both” from paragraph (3) of the section.

Section 59. This section corrects an error in § 9011D(a)(3) of Title 29, from Senate Bill No. 161 of the 152nd General Assembly, by substituting an accurate updated internal reference.

Section 60. This section makes corrections throughout § 9101 of Title 29, from House Bill No. 368 of the 131st General Assembly, by addressing inconsistent references to the name of the Cabinet Committee on State Planning Issues.

Sections 61 and 62. These sections correct errors in Senate Bill No. 134 of the 152nd General Assembly by addressing a typo in § 10212(b)(4) of Title 29 and a grammar error in the introductory paragraph of § 10214(b) of Title 29.

Section 63. This section corrects an error in the introductory paragraph of § 1812 of Title 30, from House Bill No. 442 of the 141st General Assembly, by removing the unnecessary statement that “(singular includes plural).” This general rule of construction is already contained in § 304(a) of Title 1.

Section 64. This section corrects an error in § 5365(b) of Title 30, from House Bill No. 153 of the 142nd General Assembly, by removing an unnecessary “the” from the text.

Section 65. This section makes enactment of House Bill No. 288 of the 152nd General Assembly, implementing the name change of the “Division of Research” to the “Division of Legislative Services,” a prerequisite for enactment of Section 50 of this Act, effective upon the same date as House Bill No. 288 as noted in Section 62 of that Act.