

| Bill Number | Synopsis | Current Status |
|--|---|---|
| <p>House Substitute 1 for House Bill 287 An act to amend Title 14 of the Delaware code relating to state high school diploma requirements</p> | <p>This Substitute Bill makes the following changes to House Bill No. 287: 1. It changes the name of the new diploma to a "Diploma of Alternate Achievement Standards" instead of a "Diploma of Modified Performance Standards." 2. It adds a requirement that a student must be eligible to take a statewide alternate assessment to receive the new diploma. 3. The Act takes effect in the academic year after enactment.</p> | <p>Signed by the Governor 4-2018</p> |
| <p>House Bill 292 An act to amend Title 14 of the Delaware code relating to services for children with Autism Spectrum Disorder</p> | <p>This Act implements the recommendations of the March 2105 Autism Educational Task Force report regarding § 1332 of Title 14, the Program for Children with Autism and its Special Staff. Enacted nearly three decades ago, this law established a network of educational programs initially within a separate school structure known as The Delaware Autism Program (DAP). This Act establishes the qualifications and duties of the Statewide Director and enhances the current mandatory committee structure to include a Parent Advisory Committee, in addition to the Peer Review Committee and Statewide Monitoring Review Board, to increase family input, monitoring, and protections. This Act creates a 3 year pilot program that revises the concept of DAP toward a system in which the statewide Director will work in collaboration with a team of experts to provide technical assistance and training to districts and educational entities. It allows for and provides adequate resources for all students with ASD in Delaware by eliminating the distinction between DAP-approved programs and other in-district options and by providing in-state experts at a lower cost than out-of-state residential treatment and consultants. The pilot program created under this Act makes changes that recognize and support the need for specialized technical assistance and training staff to be available to build capacity for teachers in all districts and other programs educating students with ASD. These changes expand available supports so that excellent, evidence-based training and technical assistance can be made available to all Delaware schools and the students who attend them.</p> | <p>Signed by the Governor 8-2018</p> |
| <p>House Bill No. 294 An act to amend Title 21 of the Delaware Code relating to driving under the influence</p> | <p>Section 1 of this Act transfers from the Department of Safety and Homeland Security to the Department of Health and Social Services the responsibility for establishing, administering, adopting rules and regulations, and setting fees for courses of instruction and programs of rehabilitation for those whose licenses have been revoked for driving a vehicle under the influence of alcohol or any drug, or both.</p> | <p>Signed by the Governor 7-2018</p> |
| <p>House Bill No. 305 An act to amend Title 16 of the Delaware code relating to controlled substances.</p> | <p>Pursuant to this provision, some defendants convicted of certain drug crimes who have one prior adult drug conviction and one prior juvenile adjudication within the past 10 years face a drastic increase in sentence as follows: A defendant convicted of "drug dealing – aggravated possession", a class D felony, will be sentenced as if he had committed a class B felony. The sentence for a class D felony is up to 8 years imprisonment. For a class B felony the sentence can be up to 25 years, and 2 years is the minimum mandatory. A defendant convicted of aggravated possession – class E will be sentenced as if she had committed a class B felony. The penalty is elevated from a maximum of 5 years' incarceration</p> | <p>Placed on the ready list 1-2018</p> |

| | | |
|--|--|--|
| | to, again, a maximum of 25 with a 2 year minimum mandatory. A defendant convicted of aggravated possession – class F will be sentenced as though he committed a class C felony. Class C felonies are punishable by up to 15 years, rather than the maximum of 3 years for a class F. There is no other part of the criminal code that uses a juvenile adjudication as a statutory sentence enhancement in an adult conviction. | |
| House Bill No. 306, An act to amend Title 16 of the Delaware code relating to controlled substances | This bill permits judges to utilize their discretion in determining whether a juvenile charged with possession of a firearm during commission of a felony should be transferred back to Family Court or remain in Superior Court. | Signed by the Governor 5-2018 |
| House Bill No. 307 An act to amend Title 10 and 11 of the Delaware code relating to juveniles | This proposed legislation would repeal and remove all minimum-mandatory sentencing schemes for juveniles adjudicated delinquent in Family Court because children are different than adults. Family Court judges and commissioners would still be able to impose a commitment to a DSCYF secure placement, but would now have the ability to exercise their judicial discretion to fashion an appropriate sentence for an individual juvenile. | Signed by the Governor 5-2018 |
| House Bill No. 308 An act to amend chapter 412 Vol. 80 of the Laws of Delaware relating to the juvenile offender civil citation program | This Act removes the sunset provision contained in Volume 80, Chapter 412 of the Laws of Delaware (formerly House Bill No. 405, as amended, of the 148th General Assembly) that is set to expire the law on September 8, 2018. The purpose of Volume 80, Chapter 412 of the Laws of Delaware is to prevent first-time juvenile offenders charged with certain minor misdemeanors from entering into the juvenile criminal justice system by providing law enforcement with a civil citation procedure as an alternative to arrest. | Signed by the Governor 5-2018 |
| Senate Bill 146 An act to amend Title 10 of the Delaware code relating to juvenile expungements. | This Act streamlines Delaware’s juvenile expungement code by providing the Delaware Family Court the option to immediately order an expungement in the event that a felony case was terminated in favor of the juvenile (i.e. a juvenile was found not guilty, or the charges were dropped). Delaware law currently allows the Court to do this for misdemeanor and violation cases. | Awaiting action by the Governor 5-2018 |
| House Bill 326 An act to amend Title 14 of the Delaware Code relating to the Delaware Advance Scholarship Program. | This Act creates the Delaware Advance Scholarship Program (“Program”). The goal of this Act is to encourage Delaware students with intellectual disabilities to pursue studies for a comprehensive certificate or degree at a Delaware institution of higher education in order to promote economic self-sufficiency. This will result in an economic benefit to the State in the form of a more diverse, well-prepared workforce that is less reliant on government support. This Act follows the Higher Education Opportunities Act of 2008, which authorizes comprehensive transition and post-secondary programs as a pathway to higher education for students with intellectual disabilities. | Signed by the Governor 7-2018 |
| House Bill No. 332 An act to amend Titles 6 and 31 of the Delaware code relating to financial exploitation | This bill mandates reporting by certain employees of broker-dealer or investment adviser firms who have a reasonable belief that financial exploitation of an eligible adult has occurred, been attempted, or will be attempted. Reporting will be to both the Investor Protection Director and the Department of | Awaiting action by the Governor 6-2018 |

| | | |
|---|---|--|
| | Health and Social Services. It also enables broker-dealers and investment advisers to delay disbursement from an account of an eligible adult where financial exploitation is suspected. This also includes definitions of “eligible adult,” “financial exploitation” and “qualified individual” to be inserted into the Securities Act. | |
| House Bill No. 338 An act to amend Title 14 of the Delaware Code relating to Exceptional Children (Extension of Eligibility for FAPE) | This Act increases the eligibility for a child with a disability to be eligible for free appropriate public education from the end of the school year in which the child attains the age of 21 to the end of the school year in which the child attains the age of 22. This Act also makes a technical correction to conform existing law to the standards of the Delaware Legislative Drafting Manual. | Tabled in Committee (House Education) 4-2018 |
| House Bill No. 344 An act to amend Title 11 of the Delaware code relating to classification and employment | The language set forth in this statute would remove barriers for inmates who are students with disabilities and who have an Individualized Education Program (IEP) under state and federal law, when being considered for parole or a sentence modification. Requiring an inmate with an IEP to complete a GED or State of Delaware High School Diploma is counter-productive to the treatment and programming of this segment of the prison population and prohibits them from seeking the same benefits of parole or sentence modification afforded to those inmates who do not have an IEP. This amendment to the law allows an inmate the opportunity to earn a State of Delaware Diploma of Alternate Achievement Standards upon successful completion of the inmate's IEP. | Placed on the ready list 5-2018 |
| House Bill No. 354 Aa act to amend Title 6 of the Delaware Code relating to equal accommodations. (Amendments to Equal Accommodations Statute) | This Act makes the Delaware equal accommodation law internally consistent, correctly organized, and aligned with the Americans with Disabilities Act ("ADA"). This Act corrects the potential for confusion in Chapter 45 of Title 6 in the following ways: 1. The current law states that the purpose of Chapter 45 is to prohibit discrimination based upon physical disability but Chapter 45 actually prohibits discrimination against individuals with physical or mental disabilities. This Act corrects the purpose language in § 4501 of Title 6 by changing the term "physical disability" to "disability" so that it accurately states the scope of the protection provided by of Chapter 45. 2. The current law uses the term "support animal" while the ADA and other states use the term "service animal." This Act replaces the term "support animal" with "service animal" to use the same term as the ADA. 3. The current law defines "support animal" as assisting only individuals with physical disabilities and does not address service animals that assist individuals with nonphysical disabilities, even though Chapter 45 prohibits discrimination against individuals with physical or mental impairments. This Act uses the ADA definition of service animal, which requires that the dog be trained to do work or perform tasks for an individual with a disability. 4. The current law places the prohibition against discriminating against an individual with a support animal in the definition section rather than in the prohibited practices section. This Act moves the requirement that a service animal be permitted to accompany an individual with a disability in public places from the definition of disability to the statute that lists unlawful practices. With these corrections, this Act restructures and corrects the language in Chapter 45 of Title 6 so that it is consistent with the ADA and clear that an individual with any disability, including an individual | Awaiting action by the Governor 6-2018 |

| | | |
|--|--|--|
| | with Post-Traumatic Stress Disorder or other psychiatric, intellectual, or mental disability, may be accompanied by a service animal in a public place. | |
| House Bill No. 363 An act to amend Title 14 of the Delaware code relating to education | This bill changes the time of school board and school referendum election from 10:00 a.m. to 8:00 p.m. to 8:00 a.m. to 8:00 p.m. to allow those who work greater flexibility to vote in school board and referendum elections. | Signed by the Governor 7-2018 |
| House Substitute 1 for House Bill No. 49 An act to amend Titles 14 and 29 of the Delaware code relating to school safety | This Act requires all new school construction and schools undergoing major renovations to incorporate the following safety features: a secured vestibule to be used as the primary entrance to screen visitors, installation of ballistic resistant glass or other ballistic resistant materials in all areas used to screen visitors, installation of a panic button or intruder alert system, and classroom doors that can be locked on the outside with a key or magnetic card locking system. Further, the Act provides that the Office of Management and Budget Facilities Management Section shall coordinate a review of construction plans with the Department of Homeland Security to verify compliance with this Act and evaluate the security and safety of new schools and schools planning major renovations. | Signed by the Governor 6-2018 |
| Senate Substitute 1 for Senate Bill No. 85 An act to amend Title 14 of the Delaware code relating to the lawful authority of teachers over pupils | This Act draws attention to the types of discipline used in schools by capturing data about out-of-school suspensions and publishing that data, in an effort to help schools identify areas where the data regarding out-of-school suspensions indicates there is room to reduce such suspensions. This Act is meant to increase transparency, improve overall school climate, resulting in improved student outcomes. The collection and publication of this data will also help the Department of Education and community partners identify opportunities to provide greater supports to schools, students, and their families. | Signed by the Governor 7-2018 |
| House Bill No. 352 An act to amend Title 24 of the Delaware code relating to nursing | This Act permits licensed child care providers, who successfully complete a State-approved medication training, to administer medication to children in their care, including by non-intravenous injection, if a child has a medical need during child care hours that requires it. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. | Signed by the Governor 7-2018 |
| House Bill No. 374 with House Amendment 1 An act to amend Title 16 of the Delaware code relating to the Medical Marijuana Act | This bill adds glaucoma, chronic debilitating migraines, pediatric autism spectrum disorder, and pediatric sensory processing disorder to the list of debilitating medical conditions which may qualify a person, upon certification by a physician, to be eligible for the use of medical marijuana in accordance with the terms of the Delaware Medical Marijuana Act. | Awaiting action by the Governor 7-2018 |

| | | |
|--|---|---|
| <p>House Bill No. 400 Election Day Voter Registration An act to amend Title 15 of the Delaware code relating to elections</p> | <p>This bill provides for election day registration for presidential primary, primary, special, and general elections whereas currently the deadline is the fourth Saturday prior to the date of the election. Moreover, same day registration at polling places will be permitted with submission of valid government issued identification or other generally accepted proof of identification.</p> | <p>Awaiting consideration in Committee 6-2018</p> |
| <p>House Bill No. 401 An act to amend Title 16 of the Delaware code relating to the Controlled Substance Act</p> | <p>Currently the US FDA is reviewing a New Drug Application (NDA) of a pharmaceutical product containing cannabidiol (CBD) to treat patients with rare pediatric seizure disorders. If approved, this drug will be required to be prescribed and dispensed like other FDA approved products. However, to make sure that this product and future FDA approved marijuana containing products are available to patients as soon as possible, a change in Delaware law is required. This bill would exempt federally lawful FDA approved marijuana containing products from Schedule I of the state's Controlled Substances Act until they are rescheduled under Delaware law. This would allow patient access to new therapies without an administrative delay, and allow FDA approved marijuana containing medicines to be prescribed, dispensed and regulated like other FDA approved pharmaceutical products. Illegal possession or sale of these drugs would be prosecuted as any other violation of the Controlled Substance Act.</p> | <p>Awaiting action by the Governor.</p> |
| <p>House Bill No. 406 An act to amend Title 18 of the Delaware code relating to small employer health insurance</p> | <p>This bill allows for small employers who have more than 5 employees to obtain a "stop loss" policy for health insurance. This will provide more options for small employers in the health insurance market. Additionally these changes bring the section into compliance with the Delaware Legislative Drafting manual.</p> | <p>Awaiting action by the Governor 6-2018</p> |
| <p>House Substitute 1 for House Bill No. 344 An act to amend Title 11 of the Delaware Code relating to classification and employment. (Education for Offenders with Learning Disabilities</p> | <p>The language set forth in this statute would remove barriers for inmates who are students with disabilities and who have an Individualized Education Program (IEP) under state and federal law, when being considered for parole or a sentence modification. Requiring an inmate with an IEP to complete a GED or State of Delaware High School Diploma is counter-productive to the treatment and programming of this segment of the prison population and prohibits them from seeking the same benefits of parole or sentence modification afforded to those inmates who do not have an IEP. This amendment to the law allows an inmate the opportunity to earn a State of Delaware Diploma of Alternate Achievement Standards upon successful completion of the inmate's IEP.</p> | <p>Placed on the ready list 5-2018</p> |
| <p>Senate Bill No. 172 with Senate Amendment 1An act to amend Title 14 of the Delaware Code relating to school funding transparency. (School Funding Transparency)</p> | <p>This bill will increase the public transparency of education funding information by directing the Department of Education to: 1. Establish, in collaboration with stakeholders, a statewide approach for districts and charter schools for reporting expenditures at the school level and the school's share of central office expenditures so that per-pupil expenditure data is consistent and comparable across the State. 2. Report per-pupil expenditure data with key information that provide context on differences in funding such as school type, student demographics, and student outcomes. 3. Provide optional</p> | <p>Awaiting action by the Governor 6-2018</p> |

| | | |
|--|--|---|
| | <p>trainings to increase understanding of the data. As a result, this bill is intended to enable all taxpayers, parents, and schools to understand their school spending and resources in order to make data-driven decisions for students.</p> | |
| <p>House Bill 402 AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE RELATING TO EXPULSION OF STUDENTS</p> | <p>Previously, a school superintendent was required to notify the DMV any time a student was expelled from a public school, at which time the DMV was permitted to suspend or refuse to issue or renew the expelled student a driver's license. This bill eliminates the ability for the DMV to suspend a student's driver's license who has been expelled from a public school</p> | <p>Awaiting action by the Governor 6-2018</p> |
| <p>House Bill 433 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION, EVALUATION, PROFESSIONAL DEVELOPMENT, AND PREPARATION PROGRAMS</p> | <p>This Act expands the pathways to entering an alternative routes for teacher licensure and certification program ("ARTC") casting a wider net in order to attract a diverse pool of qualified candidates into the field of education as the need for teachers, particularly in critical needs areas, has increased. It also clarifies district and charter school responsibilities and ARTC program provider responsibilities, to assure proper supports are in place. Under this Act, attainment of final licensure and certification is contingent on meeting all ARTC program requirements, demonstrating effective teaching based on a state-approved evaluation system, and attaining passing scores on applicable and available approved content readiness exams and a performance assessment. These exit requirements hold ARTC participants to the same high standards for final licensure and certification as those entering the field from a typical teacher pre-service program.</p> | <p>Signed by the Governor 6-2018</p> |
| <p>House Bill 438 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY</p> | <p>This Act eliminates the ability of a court to suspend a student's driving privileges or hunting license for truancy.</p> | <p>Awaiting action by the Governor 6-2018</p> |
| <p>Senate Bill 262 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING</p> | <p>This Act, named the Share the Care Act, permits a responsible caregiver to give permission to an individual employed by a home care agency selected by the responsible caregiver to administer medications to an adult individual who lacks decision-making capacity in the individual's residence. Under this Act, the responsible caregiver must prepackage the medication by date and time and provide written instructions regarding the administration procedure. And, the responsible caregiver and the person employing the unlicensed assistive personnel must sign an agreement governing the administration or medication.</p> | <p>Awaiting consideration in Committee 6-2018</p> |