

# *LEGISLATIVE UPDATE*

*Overview and Insights into Active Bills in  
the Current Term of the Legislature.*

*Second session of the 2-year , 151<sup>st</sup>  
General Assembly, ending 6/30/2022.*

*Legislative Awareness Working (LAW) Group –  
January 2022*

# Voting, Budget & Admin

- **Voting Changes**
  - **HB 30** Primary to April (passed House 37-4, in Senate Comm.)
  - **HB15/HB75** – “Final Leg” Amendments to allow “No Excuse” Absentee Voting (failed 2/3’s vote by 25-14-2, 6/10, but vote was rescinded and bill “laid on table”, 6/17/21)
  - **HS1 for HB25** - Same-Day Voter Registration (substituted in House Admin. Committee, but no hearing scheduled).
  - **HB187** Voter ID Requirement, introduced 5/18/21 by Rep. Collins.
- **Taxes**
  - **HB191** – 10% Income Tax Cut + reductions to Corp & Gross Receipts Taxes, introduced 5/18/21 by Rep. Collins
  - **HB196** – Up to \$500 Income Tax Rebate, introduced 6/23/21 by Sen. Bonini.
  - **HB71** – Reduce real estate transfer tax from 4% back down to 3% by Rep. Ramone.
- **HB287** – Increase Senior Real Property Tax credit from \$400 to \$750, by Rep. Hensley.
- **COVID-19**
  - **HB49** Requires Legislative approval for continued “State of Emergency” after 30 days. Tabled in committee, 6/15/2021. State of Emergency reinstated State of Emergency on 1/3/2022.
  - **SB58** Remove State’s Ability to Forcibly Isolate, Quarantine, Vaccinate or Treat Individuals Against Their Will, by Sen. Lawson, et al. Introduced 2/12/21.
  - **HB203** Governor May Not Deny FOIA Requests During State of Emergency, introduced 5/19/21 by Rep. Shupe.
  - **HB209** Prevents Denial of Access or Services to those who choose not to be vaccinated, introduced 6/3/21 by Rep. Collins.
  - Note “massive” influx of federal funds related to COVID-19 response is largely being managed outside the budget process.

# *2<sup>nd</sup>* *Amendm't*

- **SS1 for SB3 “Permit to Purchase Handguns”**
  - Recurrent training (within 5 years), fingerprinting & Homeland Security background check required to exercise “right” to purchase a handgun. Valid for only 180 days, requiring renewal.
  - Contentious and very limited hearing in the Senate, ultimately passed 13-8.
  - House added amendments, including a “State firearms transaction record”.
- **SB6 “Magazine Capacity Limitation”**
  - Contentious and very limited hearing in the Senate, ultimately passed 13-8. Added amendment to exempt law enforcement (including off-duty).
  - Entire bill has been rewritten and bears little resemblance to original. An interesting exercise by a rookie Representative that undermines the public hearing process.
  - Limit increased from 17 rounds to 20 handgun/30 rifle, grandfathered current owners, commission of a crime with a magazine larger than what was issued by the manufacturer is a felony.
  - Passed House (24-16), as amended, and sent back to Senate. Some Democrat Senators appear unhappy with this development.
- **SB53 “Preventing Urban Firearm Violence” Bill**
  - Establishes a risk assessment tool and pursues actions spurred by CDC Report that was specific to “Wilmington, DE.

# *Pro- Life*

- **HB40/SB108** "Ultrasound Offer"
    - HB stalled in committee. SB17 re-introduced as **SB108** by Richardson, with "fireworks". Hearing scheduled when Richardson had a conflict – only Planned Parenthood testified. 1800 e-mails sent in support. Bill was killed in committee, regardless.
  - **HB140** "Assisted Suicide"
    - Introduced on the final day and resides in committee.
    - Assumes correct medical diagnosis and does not require the signing physician to even know the patient! There is no reference or consideration of "state of mind" of the patient.
  - **SB161** "Safe Haven for Abandoned Newborns"
    - Expands safe havens from "Hospitals, only", adding Police Stations. Passed and signed in 2021.
  - "Dignified Disposal of Fetal Remains" – Legislative discussions in response to Seaford passing an ordinance requiring cremation or burial of fetal remains from abortion/miscarriage.
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# *Equal Rights*

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- **HB155** “Re-definition of Sexual Orientation, Gender Identity and Disability across Delaware Code”
  - Passed House (36-4, Collins, Morris, Postles & Vanderwende opposed), released from committee, pending in the Senate.
- **HB199** “Amendment Relating to Equal Rights”
  - Extends existing language protecting equal rights based on sex, race, color and national origin to include “sexual orientation, gender identity and disability.”
  - This is a “First Leg” amendment. If passed in 2022, would require passage in 2023-24 session to take effect.
  - Protects “immutable” characteristics, yet the construct of “gender identity” is fluid.

# *Other Issues*

- **Federal Bill HR1** – Federalizes all national elections, eliminated Voter I.D. and other fraud protection measures (currently State controlled)
    - Passed House, Pending Senate (Must overcome filibuster).
  - **Federal Bill HR51** - District of Columbia “Statehood”
    - Passed House, Pending Senate (Must overcome filibuster).
  - **SB149** – Modifications to Law Enforcement Officer Bill of Rights, diluting protections currently in place with respect to access to police misconduct records – releasing them to prosecutors and criminal defense council.
  - **HB49 –HB150** - Allowing “Recreational Use” of marijuana
    - Reported out of Health & Human Development Comm. and House Appropriations Committee.
    - 8 amendments placed with bill, as it awaits action on the House floor.
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*In  
Closing*

- Legislative Sessions run 2 years (representative term), so all bills not acted on in 2021 will carry into 2022.
  - Note that ALL Senators will be up for election in 2022, due to redistricting (some 2-year/some 4-year terms)
  - **Stay Informed and Stay Involved!  
Public involvement has an impact.**
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