



KIDS COUNT in Delaware Legislative Wrap-Up



Highlights of the 150th Delaware General Assembly

July 2019

Delaware's Legislature is made up of the Senate and the House of Representatives. Both bodies are composed of elected officials, whose districts are determined based on population. In order to be a member of the Delaware Legislature, a person must be a US citizen, have been a Delaware resident for three years and have lived in their home district for a minimum of one year preceding the election. Additionally, there are minimum age requirements for serving in office: Senators must be at least 27 and Representatives must be at least 24. All of Delaware's elected legislators serve on a part-time basis and most of Delaware's elected legislators have other employment.

The Delaware Senate has 21 members who are elected to staggered 4-year terms.

Legislative Sessions in Delaware... After each general election concludes in Delaware, a new General Assembly is established for the following two years. Legislation introduced but not acted upon during the first year is carried over into the second year. Legislation introduced but not acted on by the end of the second year dies. In other words, it does not get carried over into the next General Assembly.

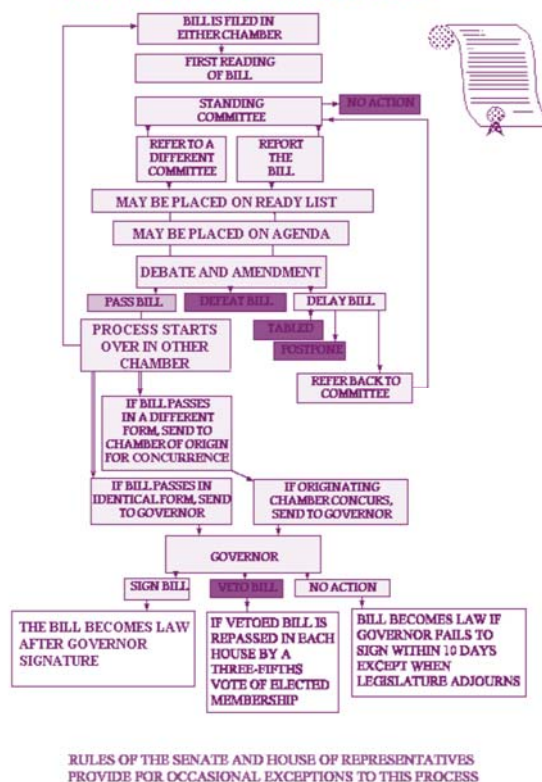
Delaware's Kids Caucus

The Delaware Legislative Kids Caucus enjoys bi-partisan support with members from both the Senate and House of Representatives. The Kids Caucus believes that all children deserve:

- ★ to be free from hunger and preventable disease and to receive regular health care,
- ★ a safe and nurturing start in the first 3 years of life, including access to quality early child care,
- ★ an education that prepares them to meet the future and inspires them to achieve their potential,
- ★ to grow up free from abuse, violence and the devastation of alcohol and other drugs,
- ★ a secure future and to grow up in an economically stable family and
- ★ to live in a community that provides a clean, safe environment with economic opportunities for all.

The Delaware House of Representatives has 41 members who each must stand for election every 2 years.

How A Bill Becomes A Law



Source: State of Delaware website. http://legis.delaware.gov/LEGISLATURE.NSF/Lookup/Bill_Process?open&nav=leginfo



Selected Legislation Affecting Children Approved in FY 2019

Health

Food Standards: Requires that restaurants offer healthy beverages as the default beverage with a combination children's meal that includes a drink.

HB 79 w/ HA 1, HA 2

Tobacco Consumption: Restricts access to tobacco products and tobacco substitutes by prohibiting sales to individuals under 21 and imposing a civil penalty for sales to underage individuals; repeals ability of a parent or guardian to purchase tobacco products for a minor, prohibits those under age 21 from entering vapor establishments & adopts best practices to enforce.

SS 1 for SB 25

Medical Marijuana: Adds new daily persistent headaches and chronic debilitating migraines to list of chronic or debilitating medical conditions for which a child under 18 may qualify to receive marijuana oil upon certification by a physician.

HB 141 w/ HA 1

Pediatric Cancer Research Fund: Adds a new check-off donation box to the Delaware personal income tax return where individuals can choose to donate a portion of their tax refund to the Pediatric Research Fund held by the Delaware Community Foundation.

HB 23 w/ HA 2

Nursing Incentive Program: Increases the number of Delaware nursing students eligible for the nursing incentive program by including Delawareans pursuing nursing careers at non-profit hospitals located in Delaware.

HB 58 w/ HA 1

Childhood Lead Poisoning: Updates the members of the Childhood Lead Poisoning Advisory Committee to include additional stakeholders and directs the committee to report to the General Assembly on the effectiveness of the Childhood Lead Poisoning Prevention Act.

HB 89

Pregnancy Outcomes: Creates the Delaware Perinatal Quality Collaborative to improve pregnancy outcomes for women and newborns.

SS 1 for SB 122

Behavioral and Mental Health: Narrows the scope of the Behavioral and Mental Health Commission to peer review responsibilities that provide independent oversight to Delaware's mental health system without the authority to force changes on the State.

HB 104 w/ HA 1

Substance Abuse and Mental Health: Ensures that the Division of Substance and Mental Health has appropriate authority to license and oversee community mental health providers; establishes uniform standards for providers.

HB 103

Disabilities Services: Ensures the role and responsibilities of the Division of Developmental Disabilities Services aligns with the current state of the agency.

HB 93

Education

Child Care: Strengthens role and responsibilities of the Provider Advisory Board in regard to the implementation and enforcement of the Delaware Child Care Act by directing them to advise and consult with the Office of Child Care Licensing.

HB 12

Early Childhood Education: Requires the Department of Education (DOE) to ensure that the standards of the Delaware Stars for Early Success system are consistent with the regulations of the Office of Childcare Licensing; transfers the office from the Department of Services for Children, Youth, and Their Families to DOE.

SB 187

Consent Education: Requires that the health education programs presented by the Department of Education include instruction on what it means to "consent" in the context of a sexual encounter.

SB 78



Selected Legislation Affecting Children Approved in FY 2019

Trauma-Informed Teaching: Establishes that the Take Care Delaware program allows police officers or emergency-care providers to alert a child's school about the child's presence at a traumatic event so trauma-informed interactions may occur.

HB 74 w/ HA 1

Learning Opportunities: Creates an Expanded Learning Opportunities subcommittee as part of the Interagency Resource Management Committee to provide research, recommendations and coordination for school-aged children in before- and after- school and summer programs.

HS 1 for HB 92 w/ HA 1

Educational Equity: Creates the Redding Consortium for Educational Equity, replacing the Wilmington Education Improvement Commission to recommend policies and practices and monitor educational progress and outcomes in the city of Wilmington and northern New Castle County.

SB 148 1/ SA 1, SA 2

School Boundaries: Allows the State Board of Education to change or alter boundaries of reorganized school districts based on redistricting recommendations from the Redding Consortium for Educational Equity.

HB 222 w/ HA 1, HA 3

Scholarship: Allows students eligible for the Student Excellence Equals Degree (SEED) scholarship program who complete their Associate Degree in fewer than six semesters to apply the remaining semesters of the grant toward a Bachelor's Degree at the UD or DTCC.

SB 175 w/ SA 1

School Transportation: Encourages cooperation so that State funding for school transportation is used efficiently; permits charter schools to contract with transportation providers, collaborate with other local education agencies to establish the safest and most cost-effective routes; allows districts and charters to purchase and provide public bus passes for students on a fixed route.

SB 166 w/ HA 1

School District Elections: Requires polls for school elections be open from 7 am to 8 pm.

HB 11

Child Welfare

Family Court: Recommends repealing the Family Court Adjudicated Drug Court Program because youth are receiving treatment services and case management from the juvenile justice system.

HB 197

Minor's Petition for Name Change: Provides for Family Court to assume jurisdiction over all minor name change petitions; exempts name change matters in Family Court from newspaper publication requirements.

HB 188

Adoption: Allows persons not married but living together to jointly adopt a child that is not theirs; changes phrase "husband and wife" to "married couple."

SB 94

Kids Department Structure: Creates Deputy Secretary position within the Department of Services for Children, Youth, and Their Families; allows Department Secretary to establish powers, duties, and functions of the Deputy Secretary.

HB 151

Alcohol: Makes possession or consumption of alcohol for an individual under 21 a civil offense; prohibits violation from inclusion on individual's certified criminal record.

SB 44 w/ SA 1

Marijuana: Makes possession, consumption or use of a personal use quantity of marijuana a civil offense for juveniles.

SB 45 w/ SA 1

Juvenile Incarceration: Establishes age of offense and not age of arrest determines the court jurisdiction for person facing charges.

SB 41

Juvenile Incarceration: Clarifies a person must be 18+ years to be found guilty of prostitution.

HB 60



Selected Legislation Affecting Children Approved in FY 2019

Economic Well-Being

Child Support Services: Requires all insurers share information with an insurance claim data collection organization to increase payments of child support from individuals who owe child support. The insurance claim data organization matches individuals who owe child support and are also receiving payments for settlements and awards from negligence, personal injury and workers compensation cases so the Division of Child Support Services can issue a lien against the insurance claim to collect child support payments.

HB 94

Child Support Services: Requires employers who have 50 or more employees under a support order from the Family Court, to collect and send payments to the Division of Child Support Services by electronic funds transfer before or at the time the employee is paid; allows employers with less than 50 employees to do the same.

HB 81

Children are 25% of our population

But 100% of our future.

Miscellaneous

Firearm Storage: Revises the crime of “unlawfully permitting a child access to a firearm” by establishing a crime is committed when a person intentionally or recklessly stores or leaves a loaded firearm where a minor can access and obtain the firearm.

HB 63 w/ SA 2

Crafting Effective Policy

Intensive work goes into crafting effective policy solutions for Delaware’s children. An important component in this process is the creation and use of a structured body to analyze and recommend potential actions. To this effect, HB 142 w/SA 1 was passed which established The Domestic Violence Coordinating Council.

FY20 State Budget

The full text of the FY20 State Budget bill, Bond bill, and Grants-in-aid bill can be found at:

<http://legis.delaware.gov/Offices/ControllerGeneral/AppropriationBills>

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KIDS COUNT in Delaware would like to thank the many Delawareans involved in our state’s political process. From advocates and lobbyists to staff members and legislators– it takes everybody working together to make a positive change for Delaware’s kids!

KIDS COUNT in Delaware Project Team

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*One of fifty-three similar projects throughout the U.S. and its territories funded by the Annie E. Casey Foundation, **KIDS COUNT in Delaware** is housed in the Center for Community Research and Service at the University of Delaware and is led by a board of committed and concerned child advocates from the public and private sectors.*