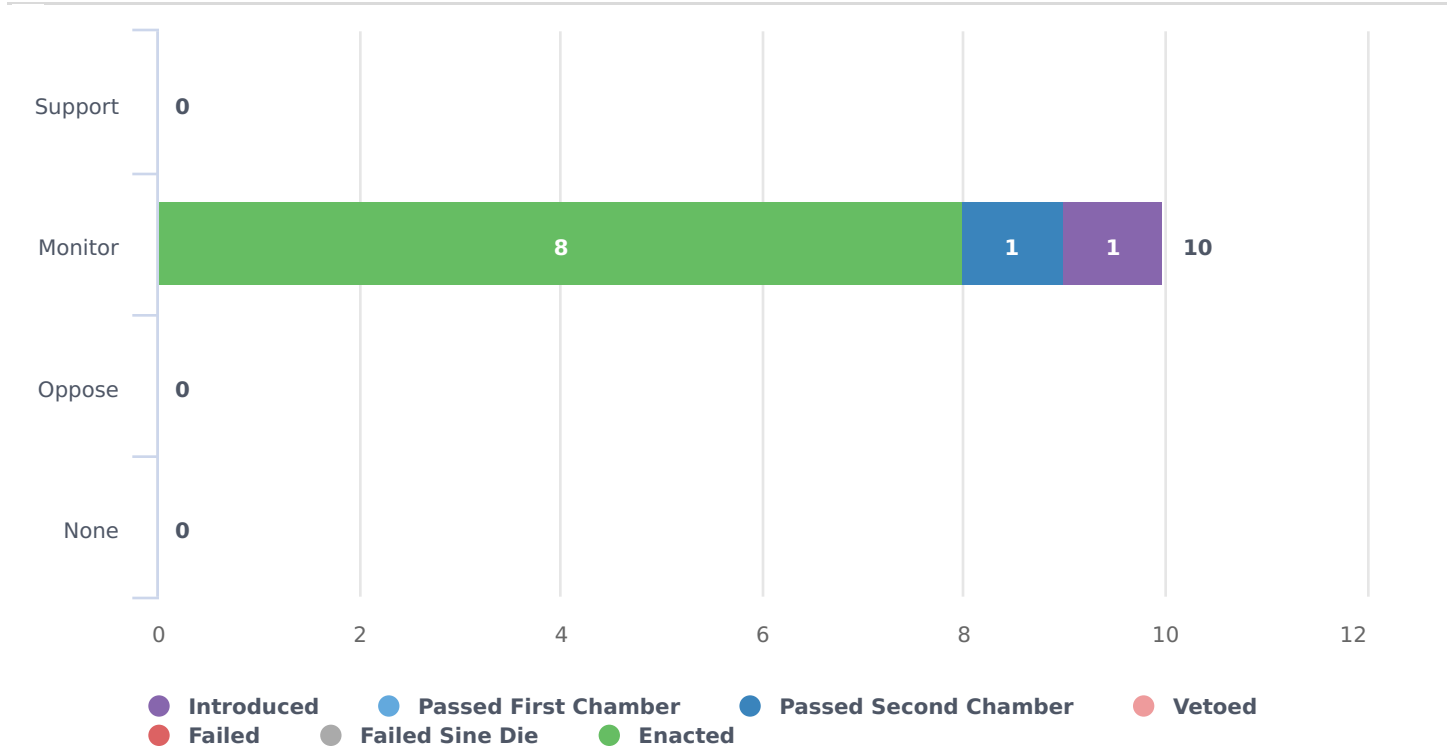


# Delaware - 2024 Legislative Overview

Last Updated: July 02, 2024

Bills by Last Status and Position



**Bill State: DE (10)**

State	Bill Number	Last Action	Status	Position
DE	HB 95	Signed By Governor 2023 06 27	Enacted	Monitor

### Title

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO COMPANION ANIMALS IN THE DISPOSITION OF MARITAL PROPERTY.

### Description

This Act requires Family Court to award possession and provide for the care of companion animals when dividing marital property after considering the well-being of the companion animal. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

### Primary Sponsors

Krista Griffith, Stephanie Hansen, Nicole Poore, Jack Walsh, Debra Heffernan, Sean Lynn, Kim Williams

**Bill Summary:** Last edited by Jeff Plummer at Mar 29, 2023, 7:16 PM

Amends Title 13 (Domestic Relations), Chapter 15 (Divorce & Annulment) of Delaware Code relating to companion animals in the disposition of marital property. Requires Family Court to award possession and provide for the care of companion animals when dividing marital property after considering the well-being of the companion animal. Provides that a companion animal may not be transferred, encumbered, concealed, disposed of, or spayed or neutered without the written agreement of both parties. For purposes of this section: "Companion animal" means an animal kept primarily for companionship instead of as any of the following: (1) A working animal; (2) A service animal as defined in § 4502 of Title 6; (3) An animal kept primarily as a source of income, including livestock as defined in § 7700 of Title 3.

**Introduction Date:** 2023-03-28

State	Bill Number	Last Action	Status	Position
DE	HB 124	Passed By House Votes 38 Yes 2 No 1 Absent 2024 06 30	Passed Senate	Monitor

### Title

AN ACT TO AMEND TITLE 7 AND TITLE 16 OF THE DELAWARE CODE RELATING TO NOISE CONTROL AND ENFORCEMENT OF LAWS FOR PROTECTION AND CONTROL OF ANIMALS AND BARKING DOGS.

### Description

This Act eliminates animal noise and noise disturbances from the Noise Control and Abatement Chapter in Title 7. This Act clarifies the authority of the Office of Animal Welfare and Department of Agriculture to enforce all state laws relating to the protection and control of animals with, as occasion requires, the assistance of police officers. This Act also adds restrictions concerning barking dogs with other provisions concerning dogs currently being enforced by the Office of Animal Welfare. This Act does not prohibit municipalities from enforcing their own dog laws or ordinances if they have their own enforcement agency. This Act clarifies that police officers shall assist the Office of Animal Welfare, as occasion requires, with the enforcement of all State and local dog control laws. This Act prohibits the owner or person in possession or control of a dog from allowing the dog to bark for an extended period, defined as continuously for 15 minutes or more, or intermittently for 30 minutes or more. The Act exempts barking dogs if:(1) a person is trespassing on private property; (2) an animal is intruding on private property; (3) the dog is being teased or provoked. The Act exempts dogs located in: (1) animal shelters; (2) pet stores; (3) dog grooming facilities; (4) veterinarian offices; (5) animal clinics. The Act also exempts dogs engaged in:(1) dog training;(2) dog exhibition; (3) lawful performance competitions; (4) hunting; (5) herding. Civil penalties are a written warning for the first violation, \$50 for a second violation, if it occurs more than 7 days after the first violation, \$100 for a third violation and \$150 for all subsequent violations. This Act is effective 1 year after enactment.

### Primary Sponsors

Eric Morrison, Kyle Gay, Mimi Minor-Brown

**Bill Summary:** Last edited by Jeff Plummer at Apr 21, 2023, 12:36 PM

Amends Title 16 (Health & Safety), Part II (Regulatory Provisions Concerning Public Health), Chapter 30F (Animal Welfare), Subchapter IV (General Provisions Concerning Dogs) of Delaware Code by adding a new Section 3057F (Barking Dogs) to prohibit the owner or person in possession or control of a dog from allowing the dog to bark for an extended period, defined as continuously for 15 minutes or more, or intermittently for 30 minutes or more. Exempts barking dogs if: (1) A person is trespassing on private property; (2) An animal is intruding on private property; or (3) The dog is being teased or provoked. Exempts dogs located in: (1) Animal shelters; (2) Pet stores; (3) Dog grooming facilities; (4) Veterinarian offices; and (5) Animal clinics. Exempts dogs engaged in: (1) Dog training; (2) Dog exhibition; (3) Lawful performance competitions; (4) Hunting; or (5) Herding. Civil penalties are a written warning for the first violation, \$50 for a second violation, if it occurs more than 7 days after the first violation, \$100 for a third violation and \$150 for all subsequent violations.

**Introduction Date:** 2023-04-20

State <b>DE</b>	Bill Number <b>HB 156</b>	Last Action <b>Signed By Governor 2023 08 31</b>	Status <b>Enacted</b>	Position <b>Monitor</b>
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**Title**  
AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PET INSURANCE.

**Description**  
This Act establishes the comprehensive framework for the regulation of pet insurance transacted in Delaware. The Act reflects the adoption of the National Association of Insurance Commissioner’s Pet Insurance Model Act, with adjustments made to conform the model act to the standards of the Delaware Legislative Drafting Manual, including using the singular tense of a word rather than the plural tense.

**Primary Sponsors**  
Kim Williams, Spiros Mantzavinos, Jack Walsh, Sophie Phillips, Sherry Dorsey Walker

**Bill Summary:** Last edited by Jeff Plummer at May 17, 2023, 2:03 PM  
Amends Title 18 (Insurance Code) of Delaware Code by adding a new Chapter 88 (Pet Insurance) to establish a comprehensive framework for the regulation of pet insurance transacted in Delaware. Reflects the adoption of the National Association of Insurance Commissioner’s Pet Insurance Model Act, with adjustments made to conform the model act to the standards of the Delaware Legislative Drafting Manual. Provides for: (1) Pet insurance company disclosure requirements; (2) Policy conditions; (3) Sales practices for wellness programs; (4) Insurance producer training; and (5) Promulgation of rules and regulations by the Delaware Insurance Commissioner. For purposes of this section: “Pet insurance” means a property insurance policy that provides coverage for accidents or illnesses, or both, of a pet.

**Introduction Date:** 2023-05-12

State <b>DE</b>	Bill Number <b>SB 70</b>	Last Action <b>Signed By Governor 2023 06 27</b>	Status <b>Enacted</b>	Position <b>Monitor</b>
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**Title**  
AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ANIMALS IN PROTECTION FROM ABUSE PROCEEDINGS.

**Description**  
This Act adds the following acts against a person's companion animal or service animal to the definition of abuse for protection from abuse proceedings: 1. Engaging in cruelty. 2. Inflicting physical injury. 3. Engaging in a course of alarming or distressing conduct. In addition, this Act provides specific authority for the Court to include provisions in a protection from abuse order that grant a petitioner exclusive care, custody, or control of a companion animal and order a petitioner to stay away from the companion animal. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

**Primary Sponsors**  
Nicole Poore, Stephanie Hansen, Jack Walsh, Krista Griffith, Debra Heffernan, Sean Lynn, Kim Williams

**Bill Summary:** Last edited by Jeff Plummer at Mar 30, 2023, 3:30 PM  
Amends Title 10 (Courts & Judicial Procedure), Chapter 9 (Family Court of Delaware), Subchapter III (Procedure), Part D (Protection from Abuse Proceedings), Sections 1041 (Definitions) and 1045 (Relief Available, Duration of Orders, Modification & Termination) of Delaware Code to provide specific authority for the Court to include provisions in a protection from abuse order that grant a petitioner exclusive care, custody, or control of a companion animal and order a petitioner to stay away from the companion animal. Adds the following acts against a person's companion animal or service animal to the definition of abuse for protection from abuse proceedings: (1) Engaging in cruelty; (2) Inflicting physical injury; (3) Engaging in a course of alarming or distressing conduct. Provides that the Court may grant the petitioner the exclusive care, custody, or control of any companion animal owned, possessed, leased, kept, or held by the petitioner, the respondent, or a minor child residing in the residence or household of the petitioner or respondent and order the respondent to stay away from the companion animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the companion animal. Provides that any subsequent property division order entered by the Court in any proceeding brought under Title 13 supersedes any relevant provisions regarding companion animals which are included in a protection from abuse order, without the need to modify that protective order. For purposes of this section: “Companion animal” means an animal kept primarily for companionship instead of as any of the following: (A) A working animal; (B) A service animal as defined in § 4502 of Title 6; (C) An animal kept primarily as a source of income, including livestock as defined in § 7700 of Title 3.

**Introduction Date:** 2023-03-28

State	Bill Number	Last Action	Status	Position
DE	SB 71	Signed By Governor 2023 06 27	Enacted	Monitor

**Title**

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REPORTING SUSPECTED ANIMAL CRUELTY.

**Description**

This Act requires law-enforcement agencies, the Department of Services for Children, Youth and Their Families, and the Department of Justice to report suspected animal cruelty to the Office of Animal Welfare that is discovered while performing their responsibilities in child welfare cases. This Act also provides immunity to people who in good faith, report suspected animal cruelty. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

**Primary Sponsors**

Stephanie Hansen, Nicole Poore, Jack Walsh, Krista Griffith, Debra Heffernan, Sean Lynn, Kim Williams

**Bill Summary:** Last edited by Jeff Plummer at Mar 30, 2023, 4:20 PM

Amends Title 16 (Health & Safety), Chapter 9 (Abuse of Children), Subchapter 1 (Reports and Investigations of Abuse and Neglect), Section 906 (State response to reports of abuse or neglect) and Chapter 30F (Animal Welfare), Subchapter III (Enforcement of Animal Welfare Laws) of Delaware Code in relation to reporting suspected animal cruelty. Requires law-enforcement agencies, the Department of Services for Children, Youth and Their Families, and the Department of Justice to report suspected animal cruelty to the Office of Animal Welfare that is discovered while performing their responsibilities in child welfare cases. Provides immunity to people who in good faith, report suspected animal cruelty.

**Introduction Date:** 2023-03-28

State	Bill Number	Last Action	Status	Position
DE	SB 109	Signed By Governor 2023 08 24	Enacted	Monitor

**Title**

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMPOUNDMENT OF ANIMALS.

**Description**

Under this bill, when the State incurs costs for impounding an animal and the owner fails to pay the costs, the time in which ownership of the animal reverts to the State is reduced from 30 days to 15 days.

**Primary Sponsors**

Nicole Poore, Stephanie Hansen, Jack Walsh, Kerri Harris, Kim Williams

**Bill Summary:** Last edited by Jeff Plummer at May 5, 2023, 6:24 PM

Amends Title 16 (Health & Safety), Chapter 30F (Animal Welfare, Subchapter III (Enforcement of Animal Welfare Laws), Section 3035F (Impoundment) of Delaware Code relating to costs and final disposition of impounded animals. Provides that when the State incurs costs for impounding an animal and the owner fails to pay the costs, the time in which ownership of the animal reverts to the State is reduced from 30 days to 15 days.

**Introduction Date:** 2023-05-04

**Title**

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ANIMAL SHELTERS.

**Description**

The Act updates the Delaware Code concerning animal shelter standards and treatment of animals in shelters to reflect best practices, which are currently already being followed by most shelters. The Act also fills in gaps in existing law, such as by requiring that animals be vaccinated against rabies before adoption or release and by setting standards for feeding and access to water, facilities and enclosures, and sanitation and disease control. The Act also makes technical changes to conform existing law to the standards of the Delaware Legislative Drafting Manual.

**Primary Sponsors**

Jack Walsh, Stephanie Hansen, Kim Williams

**Bill Summary:** Last edited by Jeff Plummer at May 16, 2023, 3:54 PM

Amends Title 16 (Health & Safety), Part II (Regulatory Provisions Concerning Public Health), Chapter 30F (Animal Welfare), Subchapter 1 (Shelter Operation) of Delaware Code to update existing statute concerning animal shelter standards and treatment of animals in shelters to reflect best practices, which are currently already being followed by most shelters. Adds provision requiring that animals be vaccinated against rabies and microchipped before adoption or release. Sets standards for feeding and access to water, facilities and enclosures, behavioral enrichment protocols, and sanitation and disease control. New Definitions: "Intake" means the number of live animals for which an animal shelter assumes custody and are admitted for temporary shelter and care. Intake includes all animals admitted to the shelter, foster care, or a satellite location. "Isolation" means the physical separation and confinement of an animal or group of animals who are infected with a communicable disease from non-isolated animals to prevent or limit the transmission of the disease. "Quarantine" means the physical separation and confinement of an animal or group of animals who have or may have been exposed to a contagious disease and who do not show signs or symptoms of communicable disease from non13 quarantined animals to prevent or limit the transmission of the disease.

**Introduction Date:** 2023-05-12

**Title**

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARY MEDICINE.

**Description**

This Act does all of the following: (1) Adds a requirement that, in order for a veterinarian to practice veterinary medicine, a relationship among the veterinarian, the client, and the patient must be established and maintained. The majority of states mandate the existence of a veterinarian-client-patient relationship as a prerequisite to treating an animal and such requirement is critical to the health of animals. This requirement is also consistent with Food and Drug Administration standards. (2) Adds a licensure exemption for veterinarians and veterinary technicians who want to practice in Delaware in connection with a State emergency. (3) Strikes a provision that allows issuance of a temporary permit to practice veterinary medicine to an individual who has not passed the licensing examination and also requires compliance with reciprocity requirements. These two requirements, taken together, cannot be met, and consequently, the section is very confusing and misleading. Temporary licenses will still be available for veterinarians where the applicant is either being considered for licensure under the reciprocity provision or is eligible to take the licensure examination. (4) Strikes the 7 year grandfathering provision, which was adopted when the Board first began to license veterinary technicians, and which is now expired. (5) Allows veterinary technicians to obtain temporary licenses pending passing of the licensure examination. (6) Gives the Board the authority to impose monetary penalties on licensees who are found to have committed regulatory or statutory violations. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. This Act comes from the Division of Professional Regulation and has been approved by the Board of Veterinary Medicine.

**Primary Sponsors**

Russell Huxtable, Sherry Dorsey Walker

**Bill Summary:** Last edited by Jeff Plummer at Jun 9, 2023, 3:29 PM

Amends Title 24 (Professions & Occupations), Chapter 33 (Veterinarians), Subchapter I (General Terms) of Delaware Code to provide for certain licensure requirements and exemptions for veterinarians. Adds a requirement that, in order for a veterinarian to practice veterinary medicine, a relationship among the veterinarian, the client, and the patient must be established and maintained. Adds a licensure exemption for veterinarians and veterinary technicians who want to practice in Delaware in connection with a State emergency. Strikes a provision that allows issuance of a temporary permit to practice veterinary medicine to an individual who has not passed the licensing examination and also requires compliance with reciprocity requirements. Temporary licenses will still be available for veterinarians where the applicant is either being considered for licensure under the reciprocity provision or is eligible to take the licensure examination. Strikes the 7-year grandfathering provision, which was adopted when the Board first began to license veterinary technicians, and which is now expired. Allows veterinary technicians to obtain temporary licenses pending passing of the licensure examination. Gives the Board the authority to impose monetary penalties on licensees who are found to have committed regulatory or statutory violations. For purposes of this section: "Board" shall mean the State Board of Veterinary Medicine.

**Introduction Date:** 2023-06-08

**Title**

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RETIRED LAW-ENFORCEMENT CANINES.

**Description**

This Act requires that an owner be reimbursed up to \$1,500 annually for veterinary care expenses paid by the owner for the care of a retired law-enforcement canine. The Department of Safety and Homeland Security shall issue veterinary care reimbursements and promulgate regulations to create a reimbursement process for retired law-enforcement canines from the State Police and Capitol Police. The State Fire Prevention Commission shall issue veterinary care reimbursements and promulgate regulations to create a reimbursement process for retired law-enforcement canines from the Office of the State Fire Marshal. The Department of Correction and the Department of Natural Resources and Environmental Control shall issue veterinary care reimbursements and promulgate regulations to create a reimbursement process for retired law-enforcement canines that assisted their respective divisions. This Act is effective immediately and shall be implemented 6 months after enactment. This Act does not apply to law-enforcement canines that retire before the implementation date of this Act.

**Primary Sponsors**

Dave Lawson, Lumpy Carson, Franklin Cooke

**Bill Summary:** Last edited by Jeff Plummer at Jun 14, 2023, 5:16 PM

Amends Title 16 (Health & Safety), Part II (Regulatory Provisions Concerning Public Health), Chapter 30F (Animal Welfare) of Delaware Code to require that an owner be reimbursed up to \$1,500 annually for veterinary care expenses paid by the owner for the care of a retired law-enforcement canine. Provides that the Department of Safety & Homeland Security shall issue veterinary care reimbursements and promulgate regulations to create a reimbursement process for retired law-enforcement canines from the State Police and Capitol Police. Provides that the State Fire Prevention Commission shall issue veterinary care reimbursements and promulgate regulations to create a reimbursement process for retired law-enforcement canines from the Office of the State Fire Marshal. Provides that the Department of Correction and the Department of Natural Resources & Environmental Control shall issue veterinary care reimbursements and promulgate regulations to create a reimbursement process for retired law-enforcement canines that assisted their respective divisions.

**Introduction Date:** 2023-06-13

**Title**

AN ACT TO AMEND TITLE 6 AND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MISREPRESENTATION OF SERVICE ANIMALS AND ASSISTANCE ANIMALS.

**Description**

This Act creates penalties for misrepresentation of a service animal under the Delaware Equal Accommodations Law and misrepresentation of an assistance animal under the Delaware Fair Housing Act. The language of these penalties is different because under both federal and State law, a broader range of animals must be allowed as a reasonable accommodation in housing to an individual with a disability and more disability-related information may be requested, than in places of public accommodation. However, the penalties are the same: a first violation is a civil penalty in the amount of \$500 and each subsequent offense is an unclassified misdemeanor. In addition, this Act updates the terms, definitions, and requirements for assistance animals under the Delaware Fair Housing Act to align with federal law and makes corresponding changes to the Residential Landlord-Tenant Code. This Act also makes corresponding changes and technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. This Act does not require a greater than majority vote for passage because Superior Court already has jurisdictions over all criminal violations under Chapter 46 of Title 6.

**Primary Sponsors**

Dave Lawson, Danny Short

**Bill Summary:** Last edited by Jeff Plummer at Mar 1, 2024, 2:55 PM

Amends Title 6 (Commerce & Trade), Chapter 45 (Equal Accommodations) and Title 25 (Property), Chapter 55 (Tenant Obligations & Landlord Remedies) of Delaware Code to create penalties for misrepresentation of a service animal under the Delaware Equal Accommodations Law and misrepresentation of an assistance animal under the Delaware Fair Housing Act. Updates the terms, definitions, and requirements for assistance animals under the Delaware Fair Housing Act to align with federal law and makes corresponding changes to the Residential Landlord-Tenant Code. Provides that a person is guilty of misrepresentation of an animal as a service animal when the person intentionally does any of the following: (1) Misrepresents that the person has a disability for which the animal the animal is trained to do work or perform tasks. (2) Misrepresents an animal as a service animal by fitting an animal that is not a service animal with an item that states that it is a service animal, such as a harness, collar, vest, or sign. Provides that misrepresentation of a service animal is punished as follows: (1) A first occurrence, a civil penalty in the amount of \$500, in addition to costs. (2) A second or subsequent offense, an unclassified misdemeanor. For purposes of this section: "Assistance animal" means a service animal or a support animal that meets the requirements for a reasonable accommodation under the Fair Housing Act, 42 U.S.C. § 3601, et seq. "Service animal" means a dog individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. "Support animal" means an animal, other than a service animal, that does work, performs tasks, provides assistance, or provides therapeutic emotional support for an individual with a disability.

**Introduction Date:** 2024-02-29