

# *2025 LEGISLATIVE UPDATE*

*Mid-Session Insights on Bills as the Legislature Enters the  
Final Two Months of the Session.*

*First Year of the Two-Year, 153rd General Assembly,  
starting on 1/14/2025 and concluding on 6/30/2025.*

*Legislative Awareness Working (LAW) Group – April 2025*

# *Highlight Issues*

## **HB13 “ Added/Revised Tax Brackets”**

- Added brackets for \$125K, \$250K & \$500K, as the state faces decreasing revenue concerns.

## **HB65 “Moving Primary Election Date to April”**

- Align with Presidential Primary and provide for longer General Election campaign.

## **HB140, HA1 “Physician-Assisted Suicide/Euthanasia”**

- This bill passed both the House and the Senate & awaits Gov. signature.

## **Protections for Illegal Immigration – HB58, HB60, HB93, HB94 & HB96**

- Limiting schools and DE law enforcement from cooperating with federal immigration enforcement agencies.

## **HB78 “Expanded Anti-discrimination Rights” (also, related efforts with HB36 & HB112)**

- Impacts policies ranging from “boys competing in girls’ sports” to “fat-shaming” under a broadened umbrella of protections and protected categories.

## **Package of School Board and Meeting-related Bills – HB64, HB77, HB82, HB83 & HB85**

- Address recent issues in Christiana School District and provide broader uniformity for others.

## **SB21 “Addressing Corporate Code Protections”**

- Bipartisan effort that seeks to address recent court rulings that have muddied Delaware Corporate Law/precedent. Passed and signed by the Governor.
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# Budget & Tax

- **HS1 for HB13** "Amend Personal Income Tax Brackets"
  - Current top tax bracket is "Above \$60K" and taxed at 6.6%. Establishes new brackets for \$60K-\$125K taxed at 6.6%, \$125K-\$250K taxed at 6.75%, \$250K-\$500K taxed at 6.85% and for income above \$500K to be taxed at 6.95%.
  - Revised to add \$250K-500K bracket. Pending in Revenue & Finance Committee.
- **HB72** "Returns Senior Property Tax Credit Residency to 3 years (as before 2017)"
  - Introduced by Rep. Bill Bush (R).
  - No action in committee.
- **HB73** "Increase Senior Property Tax Credit From \$500 to \$1000"
  - Introduced by Rep. Bill Bush (R).
  - No action in committee.
- **HB108** "Increase Personal Income Tax Pension Exclusion from \$12,500 to \$25,000"
  - Introduced by Rep. Yearick (R).
  - No action in committee.

# Voting

- **SS1 for SB2** “Constitutional Amendment to Provide 10 Days of Early, In-Person Voting” in General, Primary & Special Elections
  - 1<sup>st</sup> leg, introduced by Sen Darius Brown. 2/3’s majority to pass.
  - Amended for technical corrections, no other action, yet.
- **SS1 for SB3** “Constitutional Amendment to Provide for No-Excuse Absentee Voting” in General, Primary & Special Elections
  - 1<sup>st</sup> leg, introduced by Sen Darius Brown. 2/3’s majority to pass.
  - Also, authorizes “Permanent Absentee” status under certain conditions.
  - Amended for technical corrections, no other action, yet.
- **SB14** “Constitutional Amendment to Provide for an Independent Redistricting Commission Following Each Federal Decennial Census”
  - 1<sup>st</sup> leg, introduced by Sen Kyra Hoffner.
  - Note: The Delaware Constitution calls for 7 Senate Districts in each county, yet this has not been the case for several redistricting cycles. Thom Loring called out the discrepancy and I am further investigating.
- **HB65** “Move Date for Primary Elections to 4<sup>th</sup> Tuesday in April”
  - Passed House (39-1), sent to Senate.
- **HB86** “Establish Uniform Threshold for Recounts – a 1% or Less Difference”
  - Introduced by Rep. Shupe to Elections & Government Affairs Committee.
- **HB112** “Requirement for Photo ID for Elections”
  - Introduced by Rep. Shupe to Elections & Government Affairs Committee.

# 2<sup>nd</sup> Am'dm't & Justice

- **HB35** "Constitutional Amendment to Eliminate the Death Penalty"
  - "First Leg", would require passage in 2025-26 and 2027-28 sessions. 2/3's majority to pass.
  - Released from Administration Committee and placed on House Ready List.
- **HB45** "Establishing Firearm Merchant Code"
  - Establish a "Merchant Category Code" for credit card purchases from a licensed firearm dealer – whether purchase is a firearm, ammunition or unrelated items.
  - Released from committee and on House Ready List.
- **SB11** "Constitutional Amendment to Modernize Bail Provisions"
  - Allows "No Bail" for offenses such as manslaughter, rape, robbery, burglary, etc.. previously excluded but opens potential for "no bail" in other offenses as part of a "pretrial release-detention continuum."
  - "Second Leg", would revise the Delaware Constitution and provide for legislative authority to define the "continuum."
  - Passed the Senate (19-0), released from House committee and placed on the House Ready List.
- **HB4** "Delaware Definition of Firearms"
  - Revise the Delaware Code for consistency to eliminate archery equipment and air guns from current definition of "projectile weapons", although certain activities and actions remain prohibited.
  - Passed House (36-0) and sent to Senate Judiciary Committee.
- **Previous Legislation Passed in 2022 & 2024 has Ongoing Court Challenges**
  - DSSA has joined the California Rifle and Pistol Association, the Hawaii Rifle Association, Gun Owners of California and several others in filing an Amicus ("Friend of the Court") Brief in the US Supreme Court challenging Appeals Court rulings that appear to contradict the Supreme Court's landmark *Bruen* decision. (Feb 21, 2025)
  - HB450 (Semi-auto/"Assault Weapons" ban), HB451 (Minimum age 21) and SS1 for SB6 (limiting capacity to 17 rounds/so called "High Capacity" magazines).
  - SB2 (Permit to Purchase Handguns) is being challenged, as well.

# Immigration

- **HCR20** "School Districts/Schools to Implement Clear Policies Regarding Immigration Enforcement"
  - Approved unanimously in both Chambers.
- **HB44** "Provide Funding for Migrant Education"
  - Submitted by Rep. Sean Lynn to address needs, if federal funding is insufficient.
  - Not worked in House Administration Committee.
- **HB58** "Restrict Law Enforcement from Stopping, Questioning, Arresting, etc... an Individual for Actual or Suspected Civil Immigration Violations"
  - Submitted by Rep. Sean Lynn.
  - Not worked in House Judiciary Committee.
- **HB60** "Restrict DMV from Releasing Immigration/Citizenship Information to Law Enforcement"
  - Limit disclosure of DMV "Driving Privilege Card" data to law enforcement, immigration or other government entities without Delaware Attorney General, court or statutory approval.
  - Released from House committee and placed on the House Ready List.
- **HB93** "Restricting School Resource Officers and Constables from Cooperating with Federal Law Enforcement"
  - Restricts resource Officer/Constable from cooperation with federal agencies conducting immigration enforcement activities without Attorney General permission.
  - Introduced & assigned to House Judiciary committee.
- **HB94** "Restricting Cooperation with Federal Immigration Authorities"
  - Restricts law enforcement cooperation with federal agencies conducting immigration enforcement activities at schools or churches without Attorney General permission.
  - Introduced & assigned to Public Safety & Homeland Security committee in the House.
- **HB95** "Restricting DOE & Schools from Releasing Student Data to Immigration Enforcement Agencies"
  - Restricts resource DOE, schools or related companies from cooperation with federal agencies conducting immigration enforcement activities without Attorney General permission.
  - Released from committee and placed on House Ready List.
- **HB96** "Reports Related to Federal Agency Requests for Information or Assistance from State Law Enforcement"
  - Quarterly reporting to Governor & General Assembly on requests made.
  - Ensure continued funding of DOE migrant education programs.
  - Not worked in committee.

# Parental Rights & Family

- **HS1 for HB8** "Recognizing Valid Marriage of First Cousins"
  - Recognized in 18 states and various countries, but prohibited in 26 states, marriages obtained elsewhere would be recognized in Delaware.
  - Substitute bill (technical changes only) was released from committee and placed on the House Ready List.
- **HS1 for HB46** "Requiring Parental Consent for Minors Seeking Abortions"
  - Disallow abortions on minors under 16 without parental consent, excepting medical emergency or Family Court decision.
  - Motion to release failed in House Committee.
- **HB78** "School Anti-Discrimination Expanded to Include Gender Identity, Body Size, Hair Style, etc..."
  - Broad expansion of protected classes that targets issues such as "boys in girls sports" and "fat-shaming" introduced by Rep. Eric Morrison.
  - Released from Education Committee and placed on House Ready List.
- **SB55** "SAFE Act", prohibiting gender transition surgery for children.
  - Prohibits public funds and insurance coverage. Provides for enforcement in the form of compensatory damages, injunctive relief, etc...
  - Makes providing or referral of a child is designated as "unprofessional conduct" and subject to discipline by the appropriate licensing entity.
  - A prior bill (HB346) proposed to shield medical professionals from consequences of experimentation on children who want "gender transition" using protections established for abortion providers in 2022 (HB455).
  - Hearing held 3/19 with strong opposition during public comment. Bill was NOT released from committee.
- **SB100** "Establish Same-Sex Marriage as a Constitutional Right"
  - 1<sup>st</sup> leg, introduced by Sen Huxtable. 2/3's majority to pass.
  - Awaiting consideration in Executive Committee.

# Life & Health

- **HB140** "End of Life Options" (Physician-Assisted Suicide)
  - Prescribing/mauling suicide drugs to residence for self-administration.
  - Narrowly passed in 2024, with a Senate vote of 11-10. Vetoed by Gov. Carney. Gov. Meyer has pledged to sign.
  - Bill passed House (21-17), released from Senate committee and placed on Senate Ready List.
- **SS1 for SB5** "Constitutional Amendment Guaranteeing the Right to Abortion"
  - This would be a first-leg vote and require 2/3's majority for passage.
  - It would enshrine abortion rights within the Delaware Constitution.
  - Amendments by Sen. Richardson to require that "the good-faith medical judgment of a treating attending healthcare professional" be required to establish physical or mental health requirements to allow abortion. They were defeated on party-line votes.
  - Passed in Senate (15-6). Sent to House.
- **HB14** "Constitutional Amendment to Codify 'The Right to Privacy' "
  - This would be a first-leg vote and require 2/3's majority for passage.
  - While there are multiple protections for privacy in Delaware law, this would provide broad protections for abortion.
  - Released from House Administration Committee and place on House Ready List.
- **HB33** "Relaxing Marijuana Laws in Newark"
  - Allows civil violations for cannabis use by persons 18-20 and hearings initially at the Alderman's Court or in the Court of Common Pleas.
  - Passed House & Senate unanimously and Signed by Governor on 4/14.
- **HB56** "Require Insurance Plans to Cover Removal of Excess Skin & Tissue, When Medically Necessary"
  - Bill released from committee and placed on the House Ready List.



# Equal Rights

- **SB27** “Creation of the Office of New Americans”
  - Creates a bureaucratic “office” to promote “attraction, retention and inclusion of immigrants and refugees.” Increase immigrant access to English language instruction, connect them to legal services to assist with naturalization and reduce exploitation and fraud against immigrants.
  - Stalled in Senate Finance in 2024, reintroduced in 2025. Bill was released from Elections & Government Affairs committee and, again, assigned to Senate Finance.
- **HB36** “Aligning Delaware’s Non-Discrimination Laws”
  - Expansion of protected classes by assuring alignment across all non-discrimination references in Delaware Law. Introduced by Rep. Eric Morrison.
  - Passed House (36-1), assigned to Education committee in the Senate.
- **HB78** “School Anti-Discrimination Expanded to Include Gender Identity, Body Size, Hair Style, etc...” (also reported in Parental Rights & Family section)
  - Broad expansion of protected classes that targets issues such as “boys in girls sports” and “fat-shaming” introduced by Rep. Eric Morrison.
  - Released from Education Committee and placed on House Ready List.
- **HB115** “Anti-Discrimination Based on Weight, Height or Body Size”
  - Expansion of protected classes” introduced by Rep. Sophie Phillips.
  - Introduced and assigned to House Administration committee.

# Environmental & Energy Issues

- **HS1 for HB50 w/ HA1 "Create Delaware Energy Fund by Redirecting Funds to Supplement the Existing Low Income Home Energy Assistance Program"**
  - Democrat-sponsored bill to address increasing energy costs by redirecting funds to supplement existing Low Income Home Energy Assistance Program.
  - Passed House (27-12), sent to Senate committee.
- **HB80 "Roll Back 'Renewable Portfolio Standard (RPS)' to 10% from 25%"**
  - Current requirement is 25%, growing annually to 40%, yet actual purchases are 2-3%. Original CO<sub>2</sub> reduction goal was 10%, yet DE has achieved over 45%.
  - Tabled in committee.
- **SB64 "Rebate Green Energy Compliance Fees to Consumers"**
  - Republican bill protects consumers from rapidly increasing costs to support the Regional Greenhouse Gas Initiative (RGGI) by rebating customers with part/all of the accrued fines imposed on Delmarva.
  - Republican bill was withdrawn/not submitted in the face of HB50.
- **SB65 "Remove Delaware from the Regional Greenhouse Gas Initiative (RGGI)"**
  - Failing SB64, bill was submitted to remove Delaware from the RGGI.

## "Zero-Emission Vehicle" Regulations

- Delaware signed on to an interstate compact tying us to California's regulatory model and phasing out of combustion engine cars and light trucks by 2035. Subsequent revisions require dealers to increase EV inventories from 43% to 82% over 2027-2032 model years, then expire. The elimination of ICE vehicle registrations by 2035 was removed.
- Federal regulations have been frozen by the Trump Administration.
- **HB92 "Terminate Electric Vehicle Mandate"**
  - Repeal Delaware Advanced Clean Car Program and replace it with a Delaware-specific "Low Emission Vehicle" program.
  - Motion to release failed in committee.
- **SJR1 "Continuation of Net Metering to Solar Customer Study"**
  - Extends deadline from 12/31/24 to 4/30/25.
  - Passed unanimously by both chambers and signed by Governor on 2/14/25.
- **SCR18 w/ HA1 "Delaware Nuclear Energy Feasibility Task Force"**
  - Evaluate potential benefits/challenges of incorporating nuclear energy into Delaware's energy portfolio, specifically Small Modular Reactors (SMR's).
  - Passed Senate (19-2), sent to House committee.

# Education

- **HB29** "School Performance Card"
  - Accessible performance reports on the Dept of Ed website for all schools, including proficiency rates.
  - Passed House 37-0 (2<sup>nd</sup> unanimous House vote in 2 years). Assigned to the Senate Education committee. Died in Senate committee, last year.
  - Amendments added to call out the availability of sports for boys, girls or co-ed.
- **HB32** "Funding for School Resource Officers"
  - Providing for at least 1 school resource officer in every school, with fractional additions for schools above 1000 students.
  - Died in Appropriations Committee of House in 2024. Reintroduced, but failed motion to release from Education committee in 2025.
- **HB64** "Requiring School Board Meetings to Have Remote Viewing and Comment Available"
  - Must legally reside in the district for 75% of the days in any yearlong period during their term.
  - Passed House (38-2) and sent to Senate committee.
- **HB77** "Requiring School Board Member Training"
  - Best practices on conduct of meetings.
  - Released from committee and placed on House Ready List.
- **HB82** "Requiring School Board Members to be an Inhabitant of Their District"
  - Must legally reside in the district for 75% of the days in any yearlong period during their term.
  - Released from committee and placed on House Ready List.
- **HS1 for HB83** "Allow School Board Members to Attend Meetings Remotely, for Health or Military Deployment Reasons"
  - Substitute returned to committee for consideration.
- **HCR2** "Re-Establish the Public Education Funding Commission"
  - Continue comprehensive review of public education funding, develop roadmap of recommendations and review annual funding.
  - Passed both chambers unanimously.
- **SB48 w/ SA1** "Intentional Interference with the Operation of a School Bus to the Offense of Disorderly Conduct"
  - Doesn't apply to students or passengers otherwise authorized to be on the bus.
  - 2/3's vote required to expand scope of an existing crime.
- **SB52** "Reduce Limits on State Retiree Employment to Address School/State Agency Staffing Shortages"
  - Passed Senate (21-0) and sent to House committee.
- **SB106** "School Districts Required to Establish Student Cell Phone Policy Limiting Use"
  - Introduced and assigned to Education committee.
- Anticipating bills to address "Single Digit Proficiency" and/or "Financial Literacy in High School"
  - High priority topic of education, yet these bills died last year.

# Admin

- **SB4 w/ SA1** "Establish Non-Partisan Office of the Inspector General"
  - Seek to address waste, fraud, mismanagement, etc...
  - Assigned to Senate Finance Committee.
- **SB20** "Re-Establish Employer Match for State Employee Contributions to Deferred Compensation Program"
  - Suspended in 2008, during the Great Recession. Bill has bipartisan support.
  - Released from House Elections & Gov't Affairs and assigned to Finance Committee.
- **SS1 for SB21** "Revise Corporate Code to Provide Safe Harbor Procedures"
  - Address issues with Corporate Code that appear to be encouraging the exit of significant corporations from Delaware.
  - Being addressed by bipartisan efforts, as corporate revenue comprises over 1/3 of the State Budget.
  - Passed Senate (20-0), passed House (32-7) and signed by the Governor (3/25).
- **HS1 for HB1** "Create Department of Veterans Affairs"
  - Headed by cabinet-level Secretary and derived from the existing Commission on Veterans ` Affairs under the Department of State. Bill has bipartisan support.
  - Released from committee and placed on the House Ready List.
- **HB9 w/ HA1** "Dual Employment of Paid Officials"
  - Disclosure required to Public Integrity Commission. Follows audit findings in 2024 of dual public compensation for coincident hours of work.
  - Passed House (36-0), released from Senate committee and placed on Senate Ready List.
- **HB10** "Gender Neutralize DE Constitution"
  - Removes unnecessary gender-specific language. Bipartisan support exists for this bill.
  - Passed House (34-0) and Senate (21-0) and became part of the DE Constitution, effective 3/25/25.
- **HB38 w/ HA1 & SA1** "Dual Employment of Elected Officials by Institutions of Higher Education"
  - Requires reporting of employment of elected or appointed officials.
  - Passed House (36-0), released from Senate committee and placed on Senate Ready List.

# *In Closing*

- Note that this is the 1<sup>st</sup> half of the 153<sup>rd</sup> General Assembly and any bills that were not acted upon in 2024 will have to be reintroduced for continued consideration in this session.
  - **Stay Informed and Stay Involved! Public involvement has an impact.**
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