

2025 LEGISLATIVE UPDATE

*Initial Filings, Early Action and Insights into Bills for
the New Term of the Legislature.*

*First Year of the 2-year , 153rd General Assembly,
convening 1/14/2025 and ending 6/30/2025.*

Legislative Awareness Working (LAW) Group – January 2025

2024 Key Issues

HB140, HA1 “Assisted Suicide” Passed the House & Senate

- **Vetoed** by Gov. Carney and reintroduced for 2025.

HS2 for HB110 “Taxpayer-Funded Abortions” Passed the House & Senate

- **Signed** by Gov. Carney 9/9/24.

HB346 – “Gender Transition Surgery on Minors” Not Brought to the Floor for Vote

- Will it be **re-introduced?**

HB275 – “Asexual/Pansexual Protections Added to Delaware Law” Passed the House & Senate

- **Signed** by Gov. Carney 11/2/24.

HS2 for HB350 “Hospital Cost Review Board” Passed the House & Senate

- **Signed** by Gov. Carney 6/13/24 and initial appointments made.

SS1 for SB2 “Permit to Purchase Handgun” Passed the House & Senate

- **Signed** by Gov. Carney 6/13/24. Immediately challenged by DSSA lawsuit! Deadline for implementation is 18 months from enactment (12/13/25)

HB155 w/ amendm’ts “Firearm Storage in an Unattended Vehicle” Passed the House & Senate

- **Signed** by Gov. Carney 8/15/24.

Marijuana/Cannabis Laws Were Liberalized (HB285 **signed 5/28/24, HB355 **signed** 10/9/24)**

- Relaxed licensing, self-certification for medical (over 65) and protect financial institutions.

Republican Bills to Reduce Tax Burdens Were Consistently Stalled in Committee

Highlight Issues

HB140, HA1 "Physician-Assisted Suicide/Euthanasia"

- The bill has been re-introduced (with the same number) by Eric Morrison.

HB8 "Recognizing Valid Marriage of First Cousins"

- Is this a pressing issue for Delawareans?

HB13 "Adding Income Tax Brackets with Increased Tax Rates"

- Current rates top out at 6.6% for over \$60K. This adds new brackets at \$125K and \$250K with higher rates.

SB2/SB3 Constitutional Amendments to Provide "Early Voting" and "No-Excuse, Absentee Voting/Permanent Absentee Voting"

- Democrat legislators are seeking to add COVID voting practices to the Delaware Constitution.

HB35 "Constitutional Amendment to Eliminate the Death Penalty"

- "First Leg", would require passage in 2025-26 and 2027-28 sessions.

HB32 "Funding for School Resource Officers"

- Bill to provide at least 1 school resource officer in every school failed to be released from committee.

HB1 "Create Department of Veterans Affairs"

- Move activities from the Department of State to a separate department, headed by cabinet-level Secretary.
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Budget & Tax

- **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% and for income above \$250K to be taxed at 6.95%.

Voting

- **SB2** “Constitutional Amendment to Provide 10 Days of Early, In-Person Voting” in General, Primary & Special Elections
 - 1st leg, introduced by Sen Darius Brown.
 - **SB3** “Constitutional Amendment to Provide for No-Excuse Absentee Voting” in General, Primary & Special Elections
 - 1st leg, introduced by Sen Darius Brown.
 - Also, authorizes “Permanent Absentee” status under certain conditions.
 - **SB14** “Constitutional Amendment to Provide for an Independent Redistricting Commission Following Each Federal Decennial Census”
 - 1st leg, introduced by Sen Kyra Hoffner.
- Appears to have bipartisan support.
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2nd Am'dm't & Justice

- **HB35** "Constitutional Amendment to Eliminate the Death Penalty"
 - "First Leg", would require passage in 2025-26 and 2027-28 sessions.
- **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."
 - Appears to have bipartisan sponsorship.
 - "Second Leg", would revise the Delaware Constitution and provide for legislative authority to define the "continuum."
- **Previous Legislation Passed in 2022 & 2024 has Ongoing Court Challenges**
 - 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).

Parental Rights & Family

- **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.
- A bill has not (yet) been introduced dealing with “Medical Experimentation and Sterilization of Minor Children”
 - 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).

Life & Health

- **HB140** “End of Life Options” (Physician-Assisted Suicide)
 - Re-introduced by Rep. Eric Morrison.
 - Mailing suicide drugs to residence for self-administration.
 - Narrowly passed in 2024, but vetoed by Gov. Carney. Gov. Meyer has pledged to sign.
 - **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.
 - Released from committee and on House Ready List.
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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.
- **Various Legislation was anticipated in the following areas, but has not yet appeared:**
 - Further re-definition of Sexual Orientation, Gender Identity and Disability across Delaware Code.
 - Extending existing language in the DE Constitution protecting immutable rights (sex, race, color and national origin) to include “sexual orientation, gender identity and disability” (fluid characteristics).
 - Addressing student athletes competing on teams/sports not associated with their biological sex.

Environmental Issues

- **“Zero-Emission Vehicle” Regulations**
 - Require a complete phase-out of combustion engine cars and light trucks, 2026-2035, as called for by an interstate compact tying Delaware to California’s regulatory model.
 - See identical regulations appearing in NJ.
 - Federal regulations have been frozen by the Trump Administration.
- **SJR1 “Continuation of Net Metering to Solar Customer Study”**
 - Extends deadline from 12/31/24 to 4/30/25.

Education

- **HB29** “School Performance Card”
 - Accessible performance reports on the Dept of Ed website for all schools, including proficiency rates.
 - Passed House 39-0, died on Senate Ready List in 2024. Reintroduced and released from committee by unanimous vote. On the House Ready List.
 - **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.
 - **HCR2** “Re-Establish the Public Education Funding Commission”
 - Continue comprehensive review of public education funding, develop roadmap of recommendations and review annual funding.
 - **SB48** “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.
 - 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.
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Admin

- **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.
 - Died in House Appropriations Committee in 2024, reintroduced in 2025. Bill has bipartisan support.
 - **HB9** "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.
 - **HB14** "Constitutional Amendment to Guarantee a Right to Individual Privacy"
 - First leg amendment, requiring 2/3's vote.
 - Bill is a partisan, Democrat-sponsored bill. Additional review required.
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In Closing

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