

## **FROM THE SENATE:**

**SB 70** – Blevins – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Signed August 6, 2013)

This bill adds a seat for the Court of Common Pleas to the Domestic Violence Coordinating Council. This increases the number of Council members from nineteen to twenty. The Court of Common Pleas handles a significant domestic violence caseload and participates in the work of the Coordinating Council.

**SB 109** – Henry – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ORDERS. (Signed July 15, 2013)

This bill would remove social security numbers from the child support orders and would instead require Family Court to collect the social security numbers of each party at the time the petition is filed and maintain that information in Family Court records as required by federal law.

**SB 136 w/SA 2** – Henry - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTAL RIGHTS IN ADOPTION. (House Judiciary Committee)

This bill deletes the requirement that a petition for termination of parental rights contain a statement that each birth parent has been advised of the right to file an affidavit as provided by subchapter III of Chapter 9. The affidavit in subchapter III of Chapter 9 was previously repealed.

**SCR 9** – Ennis – A RESOLUTION TO CREATE A BLUE RIBBON TASK FORCE TO REVIEW OPEN FAMILY COURT PROCEEDINGS. (Passed both Houses)

This resolution creates a Blue Ribbon Task Force to review the feasibility of opening Family Court proceedings to the public. The report is due by February 15, 2014 with a copy delivered to the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

## FROM THE HOUSE OF REPRESENTATIVES:

**HB 75** – Smith – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS TO PROVIDE FOR SAME-GENDER CIVIL MARRIAGE AND TO CONVERT EXISTING CIVIL UNIONS TO CIVIL MARRIAGES. (Signed May 7, 2013)

This Act repeals the prohibition on same-gender marriage that was enacted in 1996. The effect of this Act is to allow two individuals, whether of the same or different genders, to marry if otherwise eligible. Upon the effectiveness of this Act, no new civil unions will be formed in Delaware. This Act allows both parties to a civil union that is not subject to a pending proceeding for dissolution, annulment or legal separation to convert their civil union to a marriage prior to July 1, 2014 by application for a marriage license to the clerk of the peace of the county in which their civil union license was issued, with or without further solemnization of such marriage. On July 1, 2014, all remaining civil unions not currently subject to a proceeding for dissolution, annulment or legal separation will automatically convert to marriages.

This Act also provides that for legal unions other than marriages between two persons of the same gender established in another jurisdiction, both parties to such legal union will be afforded the same rights, benefits and protections, and will be subject to the same responsibilities, obligations and duties, as a marriage for purposes of Delaware law. In order for such recognition to apply, such union must be validly formed in such other jurisdiction, the parties thereto must meet the eligibility requirements to enter into a marriage in the State of Delaware, and such union must afford and impose on the parties thereto substantially the same rights, benefits, protections, responsibilities, obligations and duties of marriage.

This Act provides for the equal application of all laws of the State of Delaware relating to marriage, married spouses or their children to same-gender or different-gender married spouses and their children.

This Act protects religious freedoms of religious societies and other persons. The Act specifically protects the freedom of religion guaranteed under the United States Constitution and the Delaware Constitution. Further, the Act specifies that it shall not interfere with or regulate the religious practice of any religious society. Any religious society is free to choose which marriages it will solemnize, and religious societies, clergypersons and ministers of any religion will not be required to solemnize any marriage that does not conform to its religious beliefs.

This Act becomes effective on July 1, 2013.

**HB 125 w/HA 1** – Smith - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTAL RIGHTS. (Signed August 6, 2013)

This bill allows for the reinstatement of parental rights where a child remains in the custody of the Department of Services for Children, Youth, and Their Families, despite reasonable efforts to secure a permanent plan of adoption. Where it is in the best interests of the child, this bill allows for the

legal relationship between the child and his or her biological family to be reinstated.

**HB 131 w/HA 2** – Walker - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO GESTATIONAL CARRIER AGREEMENTS. (Signed July 3, 2013)

This Act establishes that gestational carrier arrangements are legal contracts. It establishes a set of consistent standards and procedural safeguards applicable to all agreements for the protection of all parties involved in a gestational carrier arrangement. It recognizes the need for intended parents to obtain legal recognition of their rights before birth of any resulting child especially in cases where medical decisions need to be made immediately after delivery.

This Act also expands the jurisdiction over non-residents in circumstances in which significant acts have or are expected to occur within the State.

**HB 163** – Bennett - AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO YOUTH AGING OUT OF FOSTER CARE. (Passed Senate)

This bill requires the Department of Services for Children, Youth and Their Families to create and maintain a developmentally appropriate, comprehensive program that fully integrates independent living services from ages 14 to 21 and which will assist youth with their successful transition into adulthood. This bill reflects the work of youth and professionals on House Joint Resolution 18 from the 146th General Assembly

**HB 181** – Barbieri - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE CHILD PROTECTION FROM DOMESTIC VIOLENCE AND SEX OFFENDERS ACT. (Out of Committee)

This bill adds support proceedings to the Family Court proceedings in which mediation is prohibited. This applies to cases in which one of the parties has been found by a court to have committed an act of domestic violence against the other party or if either party has been ordered to stay away or have no contact with the other party, unless a victim of domestic violence who is represented by counsel requests such mediation.

**HJR 5 w/HA 1** – D. Short - ESTABLISHING A CHILD WELFARE DATA SHARING TASK FORCE. (Out of Committee)

This Joint Resolution creates a Child Welfare Data Sharing Task Force to make recommendations for data sharing between Family Court, the Department of Education, and the Department of Services for Children, Youth, and Their Families.

**HCR 29 – Dukes - ESTABLISHING THE TASK FORCE ON CHILD SUPPORT TO STUDY AND MAKE FINDINGS AND RECOMMENDATIONS REGARDING EFFECTIVE COLLECTION OF CHILD SUPPORT ARREARS. (Passed both Houses)**

This Resolution establishes the Task Force on Child Support Collection to study and make findings and recommendations regarding a statewide plan to reduce the total number of child support arrears. The Task Force shall present a final report of its findings and recommendations to the Governor and the General Assembly within one year of the passage of this Resolution. The Task Force is comprised of eleven (11) persons, appointed by the Speaker of the House, President pro tempore, the Attorney General, the Secretary of the Department of Health and Social Services, and the Governor as specified.