



SPONSOR: Rep. J. Johnson & Sen. Ennis  
Reps. Baumbach, Kowalko

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 357

AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend Chapter 1, Title 22 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows and redesignating accordingly:

3           § 117. Limitation on residency and location restrictions for sex offenders.

4           No municipality of this State shall enact or enforce any law, ordinance, or regulation prohibiting or restricting the  
5 residency or movements of persons deemed to be a sex offender pursuant to § 4121 of Title 11 that is more restrictive than  
6 the requirements imposed by § 1112 of Title 11.

SYNOPSIS

The Department of Corrections sometimes has difficulty tracking sex offenders coming out of prison because overly restrictive local ordinances can severely restrict the availability of appropriate housing. Homeless sex offenders are less likely to comply with registration requirements and are less able to access required treatment and comply with other supervision conditions. This may contribute to recidivism and detract from public safety.

This bill restricts the power of municipalities to impose broader residency and proximity restrictions on sex offenders than those that apply under state law. Specifically, 11 Del. C. 112, prohibits sex offenders from residing or loitering within 500 feet of school property.