



SPONSOR: Rep. Mitchell & Sen. Henry
Reps. Brady, Jaques, Keeley, Viola; Sens. Ennis,
Marshall

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 361

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLENT FELONIES.

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

Section 1. Amend § 4201, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by reorganizing accordingly:

§ 4201. Transition Provisions.

(c) The following felonies shall be designated as violent felonies:

Title 11, Section	Crime
<u>616</u>	<u>Gang Participation</u>
617	Criminal Youth Gangs
<u>1103A</u>	<u>Child Abuse in the Second Degree</u>
<u>1103B</u>	<u>Child Abuse in the First Degree</u>

SYNOPSIS

This Act removes § 617 Criminal Youth Gangs from the list of felonies designated as violent felonies and adds § 616 Gang Participation so that age is less of a factor in determining whether a violent felony was committed. In addition, this Act makes § 1103A Child Abuse in the Second Degree a violent felony. Further, this Act makes technical corrections by updating the violent felonies list to reflect § 1103B Child Abuse in the First Degree, which was formerly known as § 615 Assault by Abuse.