



SPONSOR: Sen. Richardson & Rep. Yearick
Sens. Hocker, Pettyjohn, Wilson

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 36

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

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

1 Section 1. Amend § 1224, Title 11 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 1224. Definition of "swears falsely."

4 A person "swears falsely" when the person intentionally makes a false statement or affirms the truth of a false
5 statement previously made, knowing it to be false or not believing it to be true, while giving testimony or under oath in a
6 written instrument or in an unsworn declaration made ~~pursuant to~~under Chapter 53A of Title 10 or § 3927 of Title 10. A
7 false swearing in a written instrument is not complete until the instrument is delivered by its maker, or by someone acting
8 in the maker's behalf to another person with intent that it be uttered or published as true. A person who gives an oral ~~and/or~~
9 or written statement while granted the privilege of the floor during a session of the House of Representatives or Senate of
10 the General Assembly or testifying at a hearing held by a standing committee of the House of Representatives or Senate or
11 a joint committee of the General Assembly, whether or not that person is under oath, gives testimony within the scope of
12 this section.

SYNOPSIS

This Act adds testifying at a hearing held by a standing committee of the House of Representatives or Senate or joint committee of the General Assembly within the definition of "swears falsely," which applies to Delaware's perjury laws. This addition means that false testimony to a standing or joint committee would subject a person to prosecution for perjury.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.

Author: Senator Richardson