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Hocker, Paradee, Pettyjohn, Sokola, Wilson

HOUSE OF REPRESENTATIVES  
150th GENERAL ASSEMBLY

HOUSE BILL NO. 240

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE GUN SHOP  
PROJECT.

1 WHEREAS, suicide is a leading cause of death in the United States, at a rate of 12.6 deaths per 100,000 of the  
2 population in Delaware; and

3 WHEREAS, firearms are used in less than 6% of suicide attempts, but firearms are used in over half of suicide  
4 deaths; and

5 WHEREAS, of the most commonly-used methods of self-harm, firearms are by far the most lethal, with a fatality  
6 rate of approximately 85%; and

7 WHEREAS, nationally, the firearm suicide rate has generally increased 19% over the past decade, with a 61%  
8 increase among children and teens specifically; and

9 WHEREAS, while there may be warning signs leading up to a suicide attempt, almost half of all survivors report  
10 less than 10 minutes of deliberation between the thought of suicide and the actual attempt; therefore, the method used to  
11 disrupt this moment of crisis can mean the difference between life and death; and

12 WHEREAS, the New Hampshire Firearm Safety Coalition, a group of mental health and public health  
13 practitioners, firearm retailers, and firearm rights advocates, created what is now known as "The Gun Shop Project," which  
14 included developing materials with and for firearm retailers and range owners on ways they can help prevent suicide; and

15 WHEREAS, the objectives of The Gun Project are to share guidelines on how to avoid selling or renting a firearm  
16 to a suicidal customer and encourage gun stores and firing ranges to display and distribute suicide prevention materials  
17 tailored to their customers; and

18 WHEREAS, half of the gun shops in New Hampshire are disseminating the materials, and the project is now  
19 nationwide, with at least 21 states participating in the project in 1 form or another; and

20 WHEREAS, it is time for Delaware to join the project and work to prevent suicide by firearm through meaningful  
21 suicide education and awareness.

NOW, THEREFORE:

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

Section 1. Amend Part II, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

Chapter 30N. The Delaware Gun Shop Project.

§ 3001N. This Chapter is known as and may be referred to as “The Delaware Gun Shop Project Act”.

§ 3002N. Definitions.

As used in this chapter:

(1) “Division” means the Division of Substance Abuse and Mental Health Services.

(2) “Deadly weapon” means as defined under § 222 of Title 11.

(3) “Firearm” means as defined under § 222 of Title 11.

(4) “Gun shop” means a business located in this State that sells firearms.

§ 3003N. Educational materials.

(a) The Division shall do all of the following:

(1) Develop and create an educational pamphlet and corresponding sign designed to assist firearm owners with all of the following:

a. Understanding the various clinical signs, symptoms, and indicators of the types of clinical depression that might lead an individual to consider suicide.

b. Accessing services available to assist an individual with preventing suicide.

(2) Refer to all of the following as guidance in creating the pamphlet and sign under this section:

a. The gun shop projects of other states.

b. Industry projects, such as those of the National Shooting Sports Foundation.

(3) Ensure that the pamphlet under this section is made available for a gun shop to distribute to all of the following:

a. An individual who is purchasing a firearm from a gun shop.

b. An individual who is licensed or applying to be licensed in this State to carry a concealed deadly weapon.

(4) Make the pamphlet and sign under this section available on the Division’s website for downloading.

(b) Information presented in the pamphlet and sign under this section may also be presented as a poster, tip sheet, or other medium, as determined by the Division.

52           (c) At each purchase counter in a gun shop, a sign may be conspicuously posted and a pamphlet or sign may be  
53 available for distribution.

54           § 3004N. Training module.

55           (a) The Division shall develop a 1-hour training module designed to educate an individual who is licensed in this  
56 State to sell firearms or is a gun shop employee on the role they can have in suicide prevention.

57           (b) The training module under this section must be updated at least every 2 years and made available free of  
58 charge to those who complete the training.

59           § 3005N. Regulatory authority.

60           The Division shall promulgate regulations to do all of the following:

61                 (1) Establish and govern a mechanism to track participation and efficacy of this chapter.

62                 (2) Other regulations as may be necessary to implement this chapter.

SYNOPSIS

In 2009, New Hampshire was the first state to develop a statewide “Gun Shop Project,” reaching out to gun shops regarding the role they can play in suicide prevention. In the years since, at least 21 other states have implemented similar campaigns. This Act establishes the Delaware Gun Shop Project (“Project”), under which the Division of Substance Abuse and Mental Health (“Division”) must develop relevant materials that may be posted conspicuously and available for distribution at Delaware gun shops.

This Act requires the Division to promulgate regulations that establish and govern a mechanism to track participation in and efficacy of the Project, and authorizes the Division to promulgate other regulations, such as how the training will be offered and taken, as needed.