



SPONSOR: Rep. Gray & Sen. Hocker

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 269

AN ACT TO AMEND THE CHARTER OF THE TOWN OF OCEAN VIEW RELATING TO COUNCIL TERMS OF OFFICE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend 77 Del. Laws c. 399, Section 2.301, Ocean View Town Charter, entitled "Composition,
2 Election and Terms of Office" by making deletions as shown by strike through and insertions as shown by underline as
3 follows:

4 **Section 2.3 - The Council.**

5 Section 2.301 - Composition, Election and Terms of Office.

6 All legislative powers of the Town shall be vested in a Council consisting of a Mayor and four (4) Council
7 Members. Such members shall be elected as provided in this Charter and shall hold office for a term of three (3) years or
8 until Council Members elected to succeed them are sworn into office. Except as provided in Section 2.515, newly elected
9 Council Members shall take office on the fourth Tuesday of April following an election. No Council Member may serve for
10 more than two (2) consecutive terms beginning with the April election following the adoption of this Charter. Any person
11 who is appointed or elected to fill a vacancy on the Council caused by resignation, illness, death, or otherwise, and who
12 serves at least one-half of a term of office, shall be considered to have served a full term in that office. A one (1) term lapse
13 must occur before seeking re-election to office after two (2) consecutive terms.

14
SYNOPSIS

Under the current language of Section 2.301, it is unclear what constitutes a "term" when computing term limits and determining a potential candidate's eligibility when they have previously filled a vacancy on the Council. By adding the proposed language, there will be a clear standard for determining whether a potential candidate has exceeded the two-term limit imposed by the Charter.