

CHAPTER 200  
FORMERLY  
SENATE BILL NO. 110

AN ACT TO AMEND TITLE 11 AND TITLE 18 RELATING TO LAW ENFORCEMENT AND POLICE OFFICERS.

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

Section 1. Amend Title 11 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 222. General definitions.

(15) "Law-enforcement officer" includes police officers, the Attorney General and the Attorney General's deputies, agents of the State Division of Alcohol and Tobacco Enforcement, agents employed by a state, county or municipal law enforcement agency engaged in monitoring sex offenders, correctional officers, state fire marshals, municipal fire marshals that are graduates of a Delaware Police Academy which is accredited/authorized by the Council on Police Training, sworn members of the City of Wilmington Fire Department who have graduated from a Delaware Police Academy which is authorized/accredited by the Council on Police Training, environmental protection officers, enforcement agents of the Department of Natural Resources and Environmental Control, and constables. A sheriff or deputy sheriff shall be considered a "law-enforcement officer" when acting upon a specific order of a judge or commissioner of Superior Court. Sheriffs and deputy sheriffs shall not have any arrest authority. However, sheriffs and deputy sheriffs may take into custody and transport a person when specifically so ordered by a judge or commissioner of Superior Court.

§ 8401. Definitions.

(5) "Police officer" means a sworn member of a police force or other law-enforcement agency of this State or of any county or municipality who is responsible for the prevention and the detection of crime and the enforcement of laws of this State or other governmental units within the State.

a. For purposes of this chapter this term shall include permanent full-time law-enforcement officers of the Department of Natural Resources and Environmental Control, state fire marshals, municipal fire marshals that are graduates of a Delaware Police Academy which is accredited/authorized by the Council on Police Training, sworn members of the City of Wilmington Fire Department who have graduated from a Delaware Police Academy which is authorized/accredited by the Council on Police Training, environmental protection officers, enforcement agents of the Department of Natural Resources and Environmental Control, agents of the State Division of Alcohol and Tobacco Enforcement, officers or agents of the State Police Drug Diversion Unit, officers or agents of the Delaware Police Sex Offender Task Force, agents employed by a state, county or municipal law enforcement agency engaged in monitoring sex offenders, state detective or special investigator of the Department of Justice and officers of the University of Delaware Police Division, Delaware State University Police Department.

Section 2. Amend Title 18 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

§ 6601. Definitions.

As used in this chapter:

(1) "Covered person" is defined as a member of 1 of the following:

a. Enrolled firefighters, auxiliary and volunteer ambulance and rescue company members in good standing, either according to the rules of their Delaware volunteer company, or through their assignment to a municipal fire company;

b. National guard members on state duty pursuant to subchapter V of Chapter 1 of Title 20, and National Guard members activated for federal service under Title 10 of the United States Code;

c. Police officers of any jurisdiction of this State or its subdivisions;

d. Agents employed by a state, county or municipal law enforcement agency engaged in monitoring sex offenders.

Approved February 25, 2014