

CHAPTER 29
FORMERLY
HOUSE BILL NO. 48

AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, § 11 OF THE DELAWARE CONSTITUTION RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT.

WHEREAS, an amendment to the Delaware Constitution was proposed in the 147th General Assembly, being Chapter 270, Volume 79, Laws of Delaware, as follows:

“AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, § 11 OF THE DELAWARE CONSTITUTION RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT.

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

Section 1. Amend Article IV, § 11 of the Delaware Constitution by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 11. Jurisdiction of Supreme Court.

Section 11. The Supreme Court shall have jurisdiction as follows:

(8) To hear and determine questions of law certified to it by other Delaware courts, the Supreme Court of the United States, a Court of Appeals of the United States, a United States District Court, a United States Bankruptcy Court, the United States Securities and Exchange Commission, ~~or~~ the highest appellate court of any other state, the highest appellate court of any foreign country, or any foreign governmental agency regulating the public issuance or trading of securities, where it appears to the Supreme Court that there are important and urgent reasons for an immediate determination of such questions by it. The Supreme Court may, by rules, define generally the conditions under which questions may be certified to it and prescribe methods of certification.”; and

WHEREAS the proposed amendment was adopted by two-thirds of all members elected to each house of the 147th General Assembly;

NOW THEREFORE:

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

Section 1. Amend Article IV, § 11 of the Delaware Constitution by making deletions as shown by strike through and insertions as shown by underline as follows:

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Approved May 14, 2015