

CHAPTER 351
FORMERLY
HOUSE BILL NO. 307

AN ACT TO AMEND TITLE 15 AND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE.

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

Section 1. Amend § 5815(c), Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(c) The Commission may refer a violation of this subchapter by a candidate for State wide office to the State Election Commissioner for further action. The Commission may refer to the Commission Counsel for investigation and/or may refer any suspected violation of this subchapter by any Public Officer to the Attorney General for investigation and prosecution; provided however, that the Commission shall refer any suspected violation of this subchapter by a member of the General Assembly or the Judiciary to the Attorney General, who shall have the exclusive authority to investigate and prosecute or otherwise recommend remedies or sanctions for such suspected violation.

Section 2. Amend § 5816, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5816 Protection of confidentiality.

Nothing contained in this subchapter shall be construed as requiring the disclosure of any fact the confidentiality of which is protected by any applicable federal or state law. Disclosures made pursuant to § 5815 shall not be deemed a violation of this subsection.

Section 3. Amend Title 15 of the Delaware Code by making insertions as shown by underline as follows:

§ 2308 Failure to file financial disclosure.

The Commissioner upon receiving notice pursuant to §5815(c), Title 29 of the Delaware Code that a candidate for state office has violated Subchapter II, Chapter 58 of Title 29, shall publish such candidates name on the Department of Elections website if

(a) For a candidate in a primary election such candidate had not complied with Subchapter II, Chapter 58 of Title 29 by August 1 of an election year.

(b) For a candidate in a general election such candidate has not complied with Subchapter II, Chapter 58 of Title 29 by October 1 of an election year.

Section 4. This Act becomes effective upon its enactment into law.

Approved July 22, 2014