

CHAPTER 436  
FORMERLY  
HOUSE BILL NO. 315  
AS AMENDED BY  
SENATE AMENDMENT NOS. 1 & 2

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES, AND FORFEITURES.

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

Section 1. Amend § 4101, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4101. Payment of fines, costs and restitution upon conviction.

(j) In addition to, and at the same time as any fine, penalty, or forfeiture assessed to a criminal defendant or recipient of a civil offense, there shall be levied an additional penalty of \$10 imposed and collected for any violations of Title 21. When a fine, penalty, or forfeiture is suspended, in whole or in part, this penalty assessment may not be suspended.

(1) This penalty assessment shall, for collection purposes, have first priority over all other penalty assessments created by this section and shall:

a. Have first priority after payments to the Victim Compensation Fund and restitution, consistent with § 4106(c) of this title, and the Court Security Fund, created by § 8505 of Title 10; and

b. Have priority over all other penalty assessments, costs, or fees established by an act of the General Assembly.

(2) Upon collection of this penalty assessment, the assessment must be paid over to the State Treasury to be deposited in a separate account for the administration of this subsection, which account shall be designated as the "Volunteer Ambulance Company Fund" (Fund), which is hereby created.

(3) The Fund shall be administered by the State Fire Prevention Commission. The Commission shall pay the moneys from the Fund directly to each volunteer ambulance company in this State in proportion to the number of ambulance runs by a volunteer ambulance company out of the total number of ambulance runs by all volunteer ambulance companies in this State.

(4) For the purposes of this subsection:

a. "Ambulance runs" means volunteer ambulance company responses to dispatched calls for service.

b. "Basic life support (BLS)" shall have the same meaning as set forth in § 9702 of Title 16.

c. "Volunteer ambulance company" means a non-profit ambulance company that is certified by the State Fire Prevention Commission and is providing basic life support services (BLS).

Section 2. This Act becomes effective 90 days after its enactment into law.

Approved September 24, 2014