

CHAPTER 104  
FORMERLY  
HOUSE BILL NO. 92

AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES  
AND FEES.

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

Section 1. Amend § 2105, Chapter 21, Title 30 of the Delaware Code by deleting the caption thereof and by substituting the following caption: "Exemption for certain persons 65 years of age or older and certain licensed direct care workers." and by inserting between the words "older" and "whose" in the body of that section the following phrase: "or licensed as a direct care worker under § 2301(a), and".

Section 2. Amend § 2301(a), Chapter 23, Title 30 of the Delaware Code by adding a new subparagraph (27) as follows:

“(27) Direct Care Worker, \$75. ‘Direct care worker’ means, for purposes of this title, an individual (aide, assistant, caregiver, technician or other designation used) under contract to, but not employed by, a personal assistance services agency to provide personal care services, companion services, homemaker services, transportation services and those services as permitted in § 1921(a)(19) of Title 24 of the Delaware Code to consumers. The direct care worker provides these services to an individual primarily in the individual's place of residence.”.

Section 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

Section 4. This Act shall become effective for taxable periods beginning after December 31 of the year in which it is enacted.

Approved July 08, 2011