

CHAPTER 340
FORMERLY
HOUSE BILL NO. 446

AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE
NEWARK HOUSING AUTHORITY.

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

Section 1. Amend § 4303, Title 31 of the Delaware Code by inserting the following before the phrase
“In the case of authorities other than a New Castle County housing authority,”:

“Except as otherwise provided in this Chapter,”.

Section 2. Amend Title 31 of the Delaware Code by inserting a new § 4304A, reading as follows:

“§ 4304A. Newark Housing Authority.

The Newark Housing Authority shall consist of 7 commissioners, 4 of whom shall be appointed by the Mayor of the City of Newark, and 3 of whom shall be appointed by the Governor. Each commissioner shall serve for a term of 3 years unless replaced by an interim commissioner before the expiration of the 3 year term. A Newark Housing Authority commissioner or interim commissioner shall serve at the pleasure of the person who appointed the commissioner or interim commissioner, and may be suspended or removed by the appointing authority for misfeasance, nonfeasance, malfeasance, misconduct, incompetence, or neglect of duty. A commissioner may appeal any suspension or removal to the Superior Court by filing an appeal within thirty (30) days of the suspension or removal decision.

A commissioner who is absent without adequate reason for 3 consecutive meetings, or who fails to attend at least half of all regular business meetings during any calendar year, shall be guilty of neglect of duty. In the event of the death, disability, resignation, or removal of a commissioner or interim commissioner before the expiration of the commissioner's or interim commissioner's term, the appointing authority may appoint an interim commissioner to complete the term.”.

Approved July 02, 2010