

LAWS OF DELAWARE
VOLUME 83
CHAPTER 28
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 55
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE GUN SHOP PROJECT.

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

WHEREAS, suicide is a leading cause of death in the United States, at a rate of 12.6 deaths per 100,000 of the population in Delaware; and

WHEREAS, firearms are used in less than 6% of suicide attempts, but firearms are used in over half of suicide deaths; and

WHEREAS, of the most commonly used methods of self-harm, firearms are by far the most lethal, with a fatality rate of approximately 85%; and

WHEREAS, the national suicide rate has generally increased 19% over the past decade, with a 61% increase specifically among children and teens; and

WHEREAS, although there may be warning signs leading up to a suicide attempt, almost half of all survivors report less than 10 minutes of deliberation between the thought of suicide and the actual suicide attempt; the method used to disrupt this moment of crisis can therefore mean the difference between life and death; and

WHEREAS, the New Hampshire Firearm Safety Coalition, a group of mental health and public health practitioners, firearm retailers, and firearm rights advocates, created what is now known as “The Gun Shop Project,” which included developing materials with and for firearm retailers and range owners on ways they can help prevent suicide; and

WHEREAS, the objectives of The Gun Shop Project are to share guidelines on how to avoid selling or renting a firearm to a suicidal customer and encourage gun stores and firing ranges to display and distribute suicide prevention materials tailored to their customers; and

WHEREAS, half of the gun shops in New Hampshire are disseminating the materials, and the project is now nationwide, with at least 21 states participating in the project in 1 form or another; and

WHEREAS, it is time for Delaware to join the project and work to prevent suicide by firearm through meaningful suicide education and awareness.

NOW, THEREFORE:

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

Section 1. Amend § 6201, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6201. The Delaware Suicide Prevention Coalition; mission, composition, organization, and reporting.

(b) The Coalition shall do all of the following:

(1) ~~review~~ Review and analyze statistics and patterns related to suicide and suicide ~~attempts, and~~ attempts.

(2) ~~shall consult~~ Consult with the Division of Public Health to determine the prevalence of ~~suicide, and~~ suicide.

(3) ~~to implement~~ Implement methods to reduce suicide and attempts.

(4) ~~Additionally, the Coalition shall operate~~ Operate in accordance with the State of Delaware Suicide Prevention Plan.

(5) Manage the Gun Shop Project and comply with § 6202 of this title.

(f) The Coalition shall report to the General Assembly and the Governor annually with findings and any pertinent ~~recommendations~~ recommendations, including the information required under § 6202(e) of this title.

Section 2. Amend Chapter 62, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6202. The Delaware Gun Shop Project.

(a) The Delaware Gun Shop Project is established, and referred to throughout this chapter as “the Gun Shop Project”.

(b) Definitions.

As used in this chapter:

(1) “Deadly weapon” means as defined under § 222 of Title 11.

(2) “Firearm” means as defined under § 222 of Title 11.

(3) “Gun shop” means a business located in this State that sells firearms, deadly weapons, or related projects, such as ammunition.

(b) The Coalition shall oversee the Gun Shop Project. The Division of Substance Abuse and Mental Health shall provide staff for the Gun Shop Project.

(c) Educational materials.

(1) The Gun Shop Project shall develop and create suicide prevention education materials that include all of the following:

a. Information on understanding the various clinical signs, symptoms, and indicators that might lead an individual to consider suicide.

b. Available suicide prevention resources.

(2) The educational materials under paragraph (c)(1) of this section must be provided through all of the following methods:

a. Written materials, such as a pamphlet, sign, poster, tip sheet, or other medium that meets the requirements of this chapter and the Gun Shop Project determines is appropriate. The Gun Shop Project is not required to provide every type of written material listed in this paragraph.

b. An online training course for deadly weapons dealers licensed under Chapter 9 of Title 24 and other customers.

(3) The Gun Shop Project shall refer to all of the following for guidance in developing and creating the educational materials under this section:

a. Gun shop projects of other states.

b. Industry projects, such as the National Shooting Sports Foundation.

c. Other projects or organizations that the Gun Shop Project determines is appropriate.

(4) The Gun Shop Project shall ensure that the written educational materials under paragraph (c)(2)a. of this section are made available for distribution through all of the following:

a. A gun shop, so the gun shop can distribute the materials at the point of purchase to an individual who is purchasing a firearm.

b. Another organization or location that the Gun Shop Project determines is appropriate.

(5) The Gun Shop Project shall ensure that the written educational materials under paragraph (c)(1) of this section are available on the Division of Substance Abuse and Mental Health's website for downloading and access. The Gun Shop Project, the Coalition, or the Division of Substance Abuse and Mental Health are not

required to physically deliver the written materials, if the materials are available online for downloading and access.

(e) The Gun Shop Project shall submit a written report as part of the Coalition's annual report under this chapter, with a copy submitted to the Director and the Librarian of the Division of Research of Legislative Council.

The annual report must include all of the following:

- (1) Progress of the Gun Shop Project.
- (2) Number of participating deadly weapons dealers.
- (3) Number of training attendees.

Approved June 3, 2021