

LAWS OF DELAWARE
VOLUME 83
CHAPTER 411
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 277
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIABILITY FOR SEXUAL ABUSE OF A CHILD BY AN ADULT EMPLOYEE OF A SCHOOL, ORGANIZATION, OR BUSINESS.

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

Section 1. Amend Subchapter I, Chapter 40, Title 10 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4006. Exclusion on civil liability limits for claims against public schools involving sexual abuse of a child.

(a) The privileges and immunities from liability under §§ 4001 and 4003 of this title do not apply to a public school, or an officer or employee of the public school, in a civil lawsuit for damages based on sexual abuse of a child by an adult employee or agent of the public school.

(b) A civil cause of action for sexual abuse of a child under this section must be based on sexual acts that would constitute a criminal offense under the Delaware Code.

Section 2. This Act takes effect 90 days after its enactment into law.

Approved August 19, 2022