

LAWS OF DELAWARE
VOLUME 85
CHAPTER 75
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 182
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT AGENCY AGREEMENTS.

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

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

Chapter 84B. PROHIBITED POLICE PRACTICES

§ 8401B. Definitions.

As used in this chapter “law-enforcement agency” means the Delaware State Police, the Wilmington City Police Department, the New Castle County Police, the University of Delaware Police Division, the Delaware State University Police Department, the police force established by the Delaware River and Bay Authority, the police department, bureau of police, or police force of any incorporated municipality, city, or town within this State, the Department of Natural Resources and Environmental Control, the Delaware Capitol Police, Probation and Parole Office of the Department of Correction, Probation and Parole of the Department of Services for Children, Youth and their Families, State Fire Marshal, the Department of Justice, the State Police Drug Diversion Unit, or the State Division of Alcohol and Tobacco Enforcement.

§ 8402B. Law-enforcement agency agreements; prohibitions.

(a) A law-enforcement agency may not enter into, modify, renew, or extend an agreement for either of the following:

(1) To exercise federal civil immigration authority under § 287(g) of the Immigration and Nationality Act.

(2) To detain or house individuals who are in the custody of a federal immigration authority for violations of federal immigration law.

(b) Each unit of local government, law-enforcement agency, and State agency with an existing immigration enforcement agreement must exercise the termination provision contained in the immigration enforcement agreement by [30 days after the effective date of this Act].

(c) Nothing in this section is intended to limit a law-enforcement agency from enforcing any valid court-issued warrants or orders, nor does this section prohibit a law-enforcement agency from complying with other federal statutory or regulatory requirements regarding disclosure of criminal history record information under 28 C.F.R. §20 et seq.

Approved July 14, 2025