

LAWS OF DELAWARE  
VOLUME 85  
CHAPTER 116  
153rd GENERAL ASSEMBLY  
FORMERLY  
HOUSE SUBSTITUTE NO. 1  
FOR  
HOUSE BILL NO. 139

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY HEARINGS.

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

Section 1. Amend § 6605, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 6605. Administration of Fund; adjudication of claims.

(a) The Insurance Commissioner ~~shall administer the Fund created under this chapter and shall~~ must receive claims against the ~~Fund.~~ Fund under this chapter. The Commissioner ~~shall~~ must determine the validity of all such claims and determine whether a death resulting in any such claim was in the line of duty under terms set forth in § 6601 of this title. In making such determinations, the Commissioner may seek the guidance of the Attorney General. As administrator of the Fund out of which benefits are paid under this chapter, the State Insurance Coverage Office established under Chapter 65 of this title has standing to contest any claim filed under this chapter, and the Commissioner must consider any such objections when rendering a decision on the validity of any claim.

(b) The Commissioner ~~shall~~ must hold a hearing on every contested claim, at which hearing the claimant may be represented by counsel. The Commissioner may determine uncontested claims on the papers. ~~The Commissioner shall, at the hearing,~~ For all claims, the Commissioner must receive evidence, make findings, and render a decision. The Commissioner ~~shall~~ has the power to subpoena witnesses and records and administer oaths and ~~shall~~ must keep a written or taped record of all testimony ~~given before him or her.~~ given. The Commissioner ~~shall~~ must state, in writing, ~~his or her~~ the Commissioner's findings and the reasons for ~~his or her~~ the decision.

~~(b)(c)~~ The Commissioner may issue regulations governing the submission, ~~processing~~ processing, and adjudication of claims, including regulations governing ~~hearings before him or her.~~ hearings.

Approved July 30, 2025