



LAWS OF DELAWARE
VOLUME 85
CHAPTER 304
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 323

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF FINANCE AND CRIMINAL BACKGROUND CHECKS.

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

Section 1. Amend § 8320, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 8320. Criminal background checks.

(a) The following individuals must submit to a criminal background check:

(1) Current Department of Finance (Department) employees.

(2) Individuals conditionally offered employment with the Department.

~~(b)(3)~~ Any current or prospective contractor ~~or third party of the Department~~ that requires or may require access to Department systems, facilities, or data ~~may be required by the Secretary to submit to a criminal background check, that the Secretary or the Secretary's designee has identified as requiring a background check.~~

~~(e)(b)~~ Individuals required to obtain a background check under this section must submit fingerprints and other necessary information to the State Bureau of Identification in order to obtain a Delaware and national criminal background check through all the following:

~~(d)(c)~~ The State Bureau of Identification must forward all information obtained under paragraphs ~~(e)(1)~~ (b)(1) and ~~(e)(2)(b)(2)~~ of this section to the ~~Department, Secretary or the Secretary's designee.~~

~~(e)(d)~~ If a current ~~employee, contractor, or third party employee or contractor~~ obtains a background check under this section, the State Bureau of Identification must provide all of the following to the ~~Department, Secretary or the Secretary's designee:~~

~~(f)(e)~~ The Department has the right to review and use criminal background information obtained under this section to the extent permitted by applicable law, including in determining an individual's qualification for employment or continued access to Department systems, facilities, or data.

~~(g)(f)~~ Current Department employees and contractors must submit the information required by subsection (c) of this section to the State Bureau of Identification no later than 30 days after receipt of the Department's written request to submit to a background check.

Approved June 24, 2026