



LAWS OF DELAWARE
VOLUME 85
CHAPTER 335
153rd GENERAL ASSEMBLY
FORMERLY
SENATE SUBSTITUTE NO. 1
FOR
SENATE BILL NO. 342

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE MOTION PICTURE AND TELEVISION DEVELOPMENT COMMISSION.

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

Section 1. Amend § 8750A, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 8750A. Delaware Motion Picture and Television Development Commission.

(a) There is hereby established the Delaware Motion Picture and Television Development Commission (the “Commission”) which ~~shall consist of 9 members who shall be residents of the State and shall consist of the following:~~ consists of 11 members. Membership is composed as follows:

(1) Director of the Division of Small Business or the Director’s ~~designee;~~ designee.

~~(2) Secretary of the Department of Natural Resources and Environmental Control;~~

~~(3) Three members appointed by the Governor;~~

~~(4) Two members appointed by the President Pro Tempore;~~

~~(5) Two members appointed by the Speaker of the House.~~

(2) One member representing the Delaware tourism industry, appointed by the Governor.

(3) One member representing the Delaware Prosperity Partnership, appointed by the Governor.

(4) Three members representing working film and television production professionals, appointed by the Governor from a list of nominees submitted by relevant national film and television trade organizations.

(5) Three members representing post-production, commercial, and new media industry professionals, appointed by the Governor from a list of nominees submitted by organizations representing post-production, commercial production, and new media professionals operating in this State.

(6) One member representing higher education with a film or media program, appointed by the Governor.

(7) One member from a labor organization representing motion picture and television production workers, appointed by the Governor from a list of nominees submitted by International Alliance of Theatrical Stage Employees, Local 52.

(b) In making appointments to the Commission under subsection (a) of this section, the Governor shall endeavor to ensure that the membership reflects the racial, gender, and geographic diversity of the State.

~~(b) (c) Members shall serve at the pleasure of the appointing authority. Members~~ A member serving by virtue of position may appoint a designee to serve in their stead and at their pleasure. A member must provide the designation to the chair in writing. A designee has the same duties and rights as the member the designee represents.

(d) An appointed member serves for a term of up to 3 years and is eligible for reappointment. The Governor shall appoint members for staggered terms so that no more than 4 members’ terms expire in any 1 calendar year.

(e) If an appointed member fails to attend 3 successive meetings of the Commission without just cause, that member’s position may be deemed vacant and the Governor may appoint a replacement.

(f) Members of the Commission serve without compensation, except that the Commission may reimburse members for reasonable and necessary mileage and tolls incident to duties as members of the Commission.

~~(e) (g)~~ The Commission shall be is formed under the Division of Small Business.

~~(d) (h)~~ The Commission may create subcommittees, which may consist of nonmembers, to facilitate its work.

~~(e) The Commission shall organize itself in such manner as it deems desirable and necessary, including electing a Chair, but no action shall be taken or motion or resolution adopted by the Commission except by an affirmative vote of a majority of the current members of said body.~~

(i) The Commission shall elect a chair from among its members.

(j) A majority of the voting members must be present at a Commission meeting in order to have a quorum and conduct official business. A vacancy on the Commission is not counted for quorum.

~~(k)~~ (k) The Commission shall have the following powers:

(1) To adopt such rules and regulations as it deems advisable with respect to the conduct of its own ~~affairs~~; affairs.

(2) To hold hearings, and to do or perform any acts which may be necessary, desirable or proper to carry out the purposes of this ~~Commission~~; Commission.

(3) To request and obtain from any department, division, board, bureau, commission, or other agency of the State or of any county, municipality, authority or other political subdivision within the State such assistance and data as will enable it to carry out its powers and ~~duties hereunder~~; duties.

(4) To accept any federal funds granted, by act of Congress, or by executive order, for all or any of the purposes of this ~~Commission~~; Commission.

(5) To accept any gifts, donations, bequests or grants of funds from private and public agencies for all or any of the purposes of this ~~Commission~~; Commission.

(6) To coordinate the activities of similar councils or boards appointed by any city or county within the State for all or any of the purposes of this ~~Commission~~; Commission.

(7) To create advisory councils necessary for the performance of responsibilities pursuant to this Commission and to appoint ~~members thereto~~; and members.

~~(8) To assist with obtaining permits from any department, division, board, bureau, commission or other agency of the State or from any county, municipality, authority, or other political subdivision within the State for applicants interested in motion picture and television production within the State.~~

(8) To assist productions in navigating the permitting process by coordinating with relevant departments, divisions, boards, bureaus, commissions, or other agencies of the State, or any county, municipality, authority, or other political subdivision on behalf of applicants and by developing and maintaining a standardized statewide permit application that the Commission may submit to permitting authorities on behalf of applicants, to advocate before those authorities to facilitate timely permit approvals, and to make recommendations to those authorities for model permitting language and process.

~~(g)~~ (l) The Commission shall prepare and implement programs to promote a motion picture and television industry within the State. ~~Such programs shall include, but not be limited to:~~ State, which include any of the following:

(1) The preparation and distribution of promotional and informational materials pointing out desirable locations within the State, explaining the benefits and advantages of producing within the State, and detailing the services available at the state and local level and within the ~~industry~~; industry.

(2) Facilitating cooperation from local, state and federal government agencies and private-sector groups in regard to applications, locations, production and ancillary ~~facilities~~; facilities.

(3) Cooperating with all sections of management and labor engaged in the motion picture and television ~~industry~~; and industry.

(4) Appearing on its own behalf before boards, commissions, departments, or other agencies of municipal, county or state government, or the federal government.

(5) Coordinating with the Delaware Prosperity Partnership for business attraction functions.

(6) Developing a comprehensive film-ready database of shooting locations.

(7) Providing assistance to productions with hiring local crews, vendors, and other production support.

(8) Defining a Commission scope that extends beyond traditional film and television to include the broader new media and digital landscape, including podcasts, documentaries, streaming, visual effects, extended reality, animation, and video games.

~~(h)~~ (m) The Division shall be responsible for administrative support.

(n) A member of the Commission may not participate in any decision, vote, or recommendation concerning a matter in which the member, or a close relative of the member, has a direct or indirect financial interest. For purposes of this subsection, "close relative" means a member's parents, spouse, children (natural or adopted), and siblings of the whole and half-blood.

(o) By December 15 of each year, the Commission shall submit a report to the Governor, the General Assembly, and the Director and the Librarian of the Division of Legislative Services. At a minimum, the report must include the following:

(1) The number of productions supported, and location shoots facilitated.

(2) Estimated local expenditure generated and the number of jobs created or sustained.

(3) A summary of grants or incentives awarded.

(4) A summary of the demographic composition of the Commission membership, including race, gender, and geographic representation within the State.

Approved July 1, 2026