



Final Report 2025

Joint Legislative Oversight and Sunset Committee

*Respectfully submitted to the
Governor and General Assembly
July 2025*

JLOSC Final Report 2025

Summary of work completed, 153rd General Assembly, 1st Session

Reviews Presented

In 2025, JLOSC staff completed and released reports for 4 full reviews and 7 focused reviews. These reviews covered a wide variety of topics and JLOSC adopted a total of 22 recommendations.

Full Reviews Presented:

- Controlled Substance Advisory Committee, 04/10/2025, 3 adopted recommendations, released pending legislation.
- Delaware Cemetery Board, 04/10/2025, 4 adopted recommendations, released pending legislation.
- Public Integrity Commission, 04/17/2025, 6 adopted recommendations, released pending legislation.
- Professional Standards Board, 05/01/2025, 5 adopted recommendations, held over.

Focused Reviews Presented:

- Assisting the Office of the State Court Administrator with Relocation Options for Non-Judicial Agencies (Courts), 02/06/2025, no adopted recommendations.
- Lead Poisoning Prevention Program (Department of Health and Social Services, Division of Public Health), 02/13/2025, 1 adopted recommendation.
- Department of Natural Resources and Environmental Control (“DNREC”) Permitting Process, 05/08/2025, 1 adopted recommendation.
- Office of Defense Services, 06/05/2025, no adopted recommendations.
- Division of Developmental Disabilities Services, Adult Day and Employment Services, 06/05/2025, 2 adopted recommendations.
- Delaware Infrastructure Readiness for Electric Vehicles (“EVs”), 05/15/2025, no adopted recommendations.
 - This report received a Notable Document Award by the National Conference of State Legislatures (“NCSL”).

Legislation

In 2025, the Committee and its staff drafted and introduced 2 bills. These bills addressed statutory updates for JLOSC pertaining to quorum and included an adopted recommendation for a recently reviewed entity (Cemetery Board).

2025 Joint Legislative Oversight and
Sunset Committee Members:

Senator Kyra Hoffner, Chair

**Representative Cyndie Romer, Vice
Chair**

Senator Russell Huxtable

Senator Nicole Poore

Senator Brian Pettyjohn

Senator Bryant L. Richardson

Representative Josue Ortega

Representative Melanie Ross Levin

Representative Richard Collins

Representative Valerie Jones Giltner



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The Division of Legislative Services is a nonpartisan and confidential reference bureau for the General Assembly and provides many services, including staff support for JLOSC.

We appreciate the assistance provided by entities under review and their staff.

Cover photo provided by Amanda Waid-McAtee.

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A Note About This Report

The Joint Legislative Oversight and Sunset Committee (“JLOSC” or “Committee”) approved this final report on June 26, 2025. The following pages summarize the Committee’s work during the first session of the 153rd General Assembly which includes completed reviews, legislation, and future review selections. The Committee’s website provides full reports and additional information.¹

About the Committee

Delaware’s Legislative Oversight and Sunset Law, enacted in 1979 in Chapter 102 of Title 29, provides for the periodic legislative review of entities to assess public need, performance, and effectiveness. JLOSC is responsible for guiding the review process. The Committee is a bipartisan committee comprised of ten legislators, with five senator appointments from the Senate President Pro Tempore and five representatives appointed by the Speaker of the House.

The Committee conducts two types of reviews:

- Full Reviews: JLOSC staff evaluate performance of an entire entity, like a board or commission, using set criteria established by JLOSC statute. The entity under review submits a self-report and presents in a public meeting.
- Focused Reviews: Staff evaluate specific components or policies within an entity, using review criteria set by themselves and the Committee. These reviews don’t require a self-report or presentation from the entity.

After each review, staff present their findings and recommendations at a public meeting. The Committee decides on further steps and adopts recommendations as needed. Recommendations may include the continuance, consolidation, reorganization, transfer, or termination (sunset) of an entity. The Committee utilizes the sunset feature for entities that have concluded their statutory mission, are no longer operational, or duplicate a service. JLOSC does not terminate entities found to be serving a genuine public need and responsive to public interests. The Committee works with these entities to formalize specific statutory and non-statutory recommendations with an end goal of improving the entity’s overall function, performance, and accountability.

Public Participation in the Review Process

Public input is an important part of the review process. JLOSC and its staff encourage the public to submit comments about any entity under review via email at sunset@delaware.gov or anonymously by using the [public comment form](#).

¹ Committee’s website available at <https://legis.delaware.gov/Committee/Sunset>.

Reviews Presented

In 2025, JLOSC staff finalized and published reports for 4 full reviews and 7 focused reviews, addressing a broad range of subjects.² JLOSC held 12 public meetings and adopted 22 recommendations³

Full Reviews Presented:

- Controlled Substance Advisory Committee, 04/10/2025, 3 adopted recommendations, released pending legislation.
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- Office of Defense Services, 06/05/2025, no adopted recommendations.
- Division of Developmental Disabilities Services, Adult Day and Employment Services, 06/05/2025, 2 adopted recommendations.
- Delaware Infrastructure Readiness for Electric Vehicles (“EVs”), 05/15/2025, no adopted recommendations.
 - This report received a Notable Document Award by the National Conference of State Legislatures (“NCSL”).⁴

² Full reports are available on the Committee's [website](#) under “2024 – 2025 reviews.”

³ All meeting minutes and replay videos are available on the Committee's [website](#) under “past meetings.”

⁴ More information can be accessed at <https://www.ncsl.org/legislative-staff/lrl/lrl-notable-document-award>.

Legislation

Legislation often emerges from the JLOSC review process to either streamline or dissolve an entity. JLOSC bills are based on consensus and compromise. The Committee's legislative attorney releases bills into the legislative process after review and approval by JLOSC members. In odd-numbered years, bills begin in the Senate Sunset Committee, while in even-numbered years, they start in the House Sunset Committee. You can easily identify a JLOSC bill by checking the first sentence of a bill's synopsis.

Legislation Introduced

JLOSC drafted and approved two bills in 2025. Included below is a brief description and status for each bill.⁵

- **Senate Bill 54: JLOSC** – Updates the Committee's quorum requirement to be in line with standard quorum language.
 - Signed by Governor on May 22, 2025.
- **Senate Bill 133: Distressed Cemetery Fund** – Changes the Office of Auditor of Account's obligation to audit the Distressed Cemetery Fund from annually to at least once every 5 years.
 - Passed Senate on May 21, 2025, passed House on June 26, 2025, awaiting Governor's signature.

Future Legislation

The following is a list of legislation planned for upcoming sessions.

- **Delaware Guardianship Commission.**
 - Technical corrections, statutory modifications.
- **Delaware Health Resources Board.**
 - Technical corrections, restructure into an advisory board, create state-wide utilization study, modifications to board composition, procedures, activities subject to review, charity care.
- **State Fire Prevention Commission.**
 - Technical corrections, statutory modifications.
- **Controlled Substance Advisory Committee**
 - Technical corrections, update Committee duties, clarify staffing and administrative resources, update Secretary duties, update reporting requirements, and other statutory modifications.
- **Delaware Cemetery Board.**
 - Technical corrections, update definitions, include application process and requirements, and other statutory modifications.

⁵ Status as of July 31, 2025.

- **Public Integrity Commission.**
 - Technical corrections, update duties regarding publication of training materials, update confidentiality requirements, update financial disclosure reporting requirements, and other statutory modifications.
- **Lead Poisoning Prevention Program.**
 - Technical corrections, clarifying the State Lead-Based Paint Program and Childhood Lead Poisoning Prevention Program, updating annual reporting requirements, clarifying and updating duties of the Childhood Lead Poisoning Prevention Advisory Committee, and other statutory modifications.
- **Professional Standards Board.**
 - Technical corrections, remove all PSB references for hearings and final orders, codify the entity's purpose, administration, operations, and other statutory modifications.
- **Division of Developmental Disabilities Services.**
 - Technical corrections, statutory modifications.
- **Ongoing Clean-Up Project with the Governor's Office.**
 - Items as identified.

Future Reviews

On June 26, 2025, JLOSC selected the following entities for focused review. Staff are actively conducting research on these projects, with presentations scheduled to begin in February 2026.

- Adult Correction Healthcare Review Committee.
- Office of Management and Budget ("OMB") procurement portal (processes and procedures).
- Delaware Human and Civil Rights Commission (formally Human Relations Commission).

Upcoming JLOSC Public Meetings

Upcoming JLOSC Meeting Dates, approved June 26, 2025:

- Thursday, January 15, 2026, 11am-1pm – annual orientation.
- Thursday, January 22, 2026, 11am-1pm.
- Thursday, January 29, 2026, 11am-1pm.

Appendix A

JLOSC Adopted Recommendations (2025)



Joint Legislative Oversight
& Sunset Committee

Full reports available at: https://legis.delaware.gov/Committee/Sunset/2024_JLOSCReviews

Full Review: Delaware Cemetery Board

Presentation Date: April 10, 2025

Recommendations Adopted: April 10, 2025

Staff Recommendation #1 – Continue.

Continue the Delaware Cemetery Board, subject to further recommendations that JLOSC adopts.

Staff Recommendation #2 – Statute Revisions.

JLOSC should consider sponsoring a bill to make technical corrections to the governing statute of the Delaware Cemetery Board, Chapter 79A, Title 29. Using this review as a guide, the bill should also revise sections covering topics such as:

- Update definitions.
- Include application process and requirements.
- Include which cemeteries qualify based on profit or active status.
- Include whether historical preference is required or desired.
- Include whether endowment or perpetual care funds are required of active cemeteries, and whether these funds exclude an inactive or active cemetery from being defined as distressed.
- Include whether burial records need to be maintained for active cemeteries.

JLOSC and DPH staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders as appropriate.

Staff Recommendation #3 – Modify Annual Audit Requirement.

JLOSC should consider sponsoring a bill to modify the annual audit requirement to a frequency of at least once every 5 years.

JLOSC staff will work with DPH and Office of Auditor of Accounts staff to develop statutory revisions. JLOSC staff will engage stakeholders as necessary.

Staff Recommendation #4 – Release from Review.

Release the Delaware Cemetery Board from review upon enactment of legislation under Recommendations 2.

Full Review: Controlled Substance Advisory Committee

Presentation Date: April 10, 2025.

Adopted Recommendations: April 10, 2025

Staff Recommendation #1 – Continue.

Continue the Controlled Substance Advisory Committee, subject to further recommendations that JLOSC adopts.

Staff Recommendation #2 – Statute Revisions.

JLOSC should consider sponsoring a bill to update Chapter 47 to codify the Committee's purpose, administration, and operations and, using this review as a guide, applying revisions to sections covering topics such as:

- Update Committee duties, staffing, and authority.
 - Include public outreach and education for any drug scheduling activity.
- Clarify Office of Controlled Substance staffing and administrative resources.
- Update Secretary duties regarding educational programs.
- Update reporting requirements for DOJ and Office of Controlled Substance.
- Update continuing education requirements for initial registration and renewal.

JLOSC and DPR staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders as appropriate.

Staff Recommendation #3 – Release from Review.

Release the Controlled Substance Advisory Committee from review upon enactment of legislation under Recommendation #2 or further action of JLOSC.

Full Review: Public Integrity Commission (“PIC”)

Presentation Date: April 17, 2025.

Adopted Recommendations: April 17, 2025

Staff Recommendation #1 – Continue.

Continue PIC, subject to further recommendations that JLOSC adopts.

Staff Recommendation #2 – Statute Revisions.

JLOSC should consider sponsoring a bill to apply technical corrections to PIC's governing statute, Chapter 58, Title 29, and, using this review as a guide, revise sections covering topics such as:

- Update duties regarding publication of training manuals.
- Update confidentiality requirements of proceedings and written opinions of waivers and advisory opinions.
- Update public officer financial disclosure reporting requirements and enforcement mechanisms, such as fines for late reports.
- Update penalties for Chapter 58 violations.

JLOSC and PIC staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders as appropriate.

Staff Recommendation #3 – Statute Revisions.

JLOSC should consider sponsoring a bill to establish a minimum ethics training requirement for all state employees, officers, and officials.

JLOSC and PIC staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders as appropriate.

Staff Recommendation #4 – Release from Review.

Release PIC from review upon enactment of legislation under Recommendation #2.

JLOSC Recommendation #5 – Website Accessibility.

PIC should collaborate with Government Support Services (“GSS”) to enhance the accessibility of its website.

JLOSC Recommendation #6 – Improve Communications.

Rec 6 – PIC should collaborate with GSS to create and implement a communication strategy to increase awareness of PIC and educate stakeholders on the complaint submission process, initiating outreach at appropriate times.

Focused Review: Lead Poisoning Prevention Program

Presentation Date: February 13, 2025.

Adopted Recommendations: April 17, 2025

Staff Recommendation #1

After review of information collected on the 3 assigned objectives, staff recommend that JLOSC consider sponsoring a bill making technical corrections and clarifications to the Childhood Lead Poisoning Prevention Act, in Chapter 26 of Title 16.¹

Using this staff report as a guide, the bill should revise the relevant provisions of the Delaware Code (“Code”) covering topics such as:

- Clarifying the State Lead-Based Paint Program and Childhood Lead Poisoning Prevention Program.
 - Updating definitions.
 - Clarifying duties under each program.
 - Clarifying the “universal reporting system” used by the Division of Public Health to collect and maintain program data.
 - Clarifying public information.
- Updating, clarifying, and combining annual reporting requirements for the Division of Public Health and Childhood Lead Poisoning Prevention Advisory Committee.
- Clarifying and updating duties of the Childhood Lead Poisoning Prevention Advisory Committee.
 - Clarifying and updating staff and data support provided by the Division of Public Health.

¹ JLOSC and Delaware Department of Health and Social Services staff will work together to develop statutory revisions, and JLOSC staff will engage stakeholders as appropriate.

Focused Review: DNREC Permitting Process

Presentation Date: May 8, 2025.

Adopted Recommendations: May 8, 2025

Staff Recommendation #1 – Agency Update.

JLOSC may consider requesting a presentation from DNREC in January 2026 to provide updates on permitting processes, including any legislative needs the department has identified. JLOSC staff will supply an update form and presentation guidelines. As this topic is of mutual interest to members of the Joint Finance Committee, JLOSC staff will extend an invitation for them to attend the presentation.

Full Review: Professional Standards Board

Presentation Date: May 1, 2025.

Adopted Recommendations: May 8, 2025

Staff Recommendation #1 – Continue.

Continue the PSB, subject to further recommendations that JLOSC adopts.

Staff Recommendation #2 – Statute Revision: Hearings and Final Orders.

JLOSC should consider sponsoring a bill to update Chapter 12 to remove all PSB references for hearings and final orders.

JLOSC and PSB staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders as appropriate.

Staff Recommendation #3 – Statute Revisions: Main Chapter 12 Updates.

JLOSC should consider sponsoring a bill to update Chapter 12 to codify the PSB purpose, administration, and operations and, using this review as a guide, applying revisions to sections covering topics such as:

- Update PSB name, quorum, composition, member removal.
 - Clarify the name of the PSB to include “educator” or “teacher” in its name.
 - Include adequate representation from the State and units that the PSB is regulating, including charter schools.
 - Update member recommendations to the Governor.
 - Quorum and member removal provisions to reflect standard drafting language developed for boards and commissions.
- Update oversight of executive director aligning with current memorandum of understanding and current Department of Human Resources best practices for hiring and supervision of state employees.
- Remove outdated terms and references.
 - Such as Special Institute for Teacher Licensure and Certification and meritorious new teacher candidate.²
 - Clarify that advanced licensure is for national certification from NBPTS and no other methods.

² House Bill No. 97, 153rd General Assembly, introduced March 2025, includes removal of Subchapter 5, Chapter 12, relating to the Special Institute for Teacher Licensure and Certification.

- Update advanced licensure to reflect current maintenance of certification requirements from the NBPTS which is 5 years.
- Update terms used for professional development and professional learning.
- Update quarterly reporting requirements and frequency.
- Clarify purpose and duties of the PSB.
 - Such as regulations for professional development of educators, which are now under DDOE regulation as professional learning.
 - PSB does not license, certify, or evaluate educators.
 - DDOE has updated processes to remove educator evaluation requirements for licensure in favor of mentoring under the educator induction program.
 - PSB does not approve professional development or professional learning.
 - PSB does not approve professional preparation programs or ARTC.

JLOSC, PSB, and DDOE staff will work together to develop statutory revisions. JLOSC staff will engage stakeholders as appropriate.

Staff Recommendation #4 – Data and Regulation Review Practices.

JLOSC staff should work with PSB and DDOE to determine whether the PSB can simply discontinue its review of regulations, or legislation is needed to do so. JLOSC should consider sponsoring a bill to update Chapter 12 to include language on data review practices targeted at more effective regulation updates.

JLOSC, PSB, and DDOE staff will work together to develop necessary statutory revisions. JLOSC staff will engage stakeholders as appropriate.

JLOSC tabled staff recommendation #5.

JLOSC Recommendation #6 – Hold Over.

Hold over the Professional Standards Board until JLOSC chooses to release from review.

Focused Review: Division of Developmental Disabilities Services, Adult Day and Employment Services

Presentation Date: June 5, 2025.

Adopted Recommendations: June 5, 2025

Staff Recommendation #1 – Annual Report.

JLOSC may consider drafting legislation requiring DDDS to submit an annual report that details service transitions; service requests and referrals, including requests that could not be met and why; and observed gaps in service delivery. The report would be similar to the annual report that the Division of Services for Aging and Adults with Physical Disabilities is required to submit.³ An annual report may increase the transparency of DDDS services and highlight unmet needs for efficient service delivery. JLOSC and DDDS staff will work together to develop statutory revisions, incorporating technical corrections as needed. This work will begin in July 2025.

³ [29 Del. C. § 7920 \(d\) \(6\).](#)

Staff Recommendation #2 – Division Update.

An update from DDDS in 2026 may be beneficial to understand ongoing issues, progress, and future needs surrounding efficient day and employment services. It may be helpful for DDDS to present:

- The findings and recommendations of the 2025 provider rate study, potentially aligning rate studies with actual provider reimbursements.
- Efforts to improve the direct care workforce within DDDS specifically.
- Legislative needs the Division has identified to cultivate a collaboration among DDDS and healthcare sectors or state agencies overall regarding the status of Delaware's direct care workforce.
- Updates on the status of Division federal funds and impacts.

JLOSC staff will supply an update form and presentation guidelines. As this topic is of mutual interest to members of the Joint Finance Committee, JLOSC staff will extend an invitation for JFC members to attend the presentation.

JLOSC tabled staff recommendation #3.