



SPONSOR: Rep. Dorsey Walker

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
HOUSE BILL NO. 318

AMEND House Bill No. 318 by deleting lines 84 and 85 in their entirety.

FURTHER AMEND House Bill No. 318 by deleting lines 88 through 91 in their entirety and inserting in lieu thereof the following:

“1. If the qualifying person holds an initial license, for 180 days after the date the qualifying person returns from active deployment.

2. If the qualifying person holds a continuing or advanced license, for 270 days after the date the qualifying person returns from active deployment.”

FURTHER AMEND House Bill No. 318 by deleting lines 207 through 211 in their entirety and inserting in lieu thereof the following:

“(7)a. Notwithstanding any provision of Title 14 to the contrary, a license issued by the Department pursuant to § 121(c) does not expire for a qualifying person as defined in paragraph (7)d. of this subsection as follows.

1. If the qualifying person holds an initial license, for 180 days after the date the qualifying person returns from active deployment.

2. If the qualifying person holds a continuing or advanced license, for 270 days after the date the qualifying person returns from active deployment.”

FURTHER AMEND House Bill No. 318 after line 225 by inserting the following:

“Section 5. Amend Chapter 12, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1216. License extension; license freeze.

(e)(1) Notwithstanding any provision of Title 14 to the contrary, a license issued by the Department pursuant to Chapter 12 does not expire for a qualifying person as defined in paragraph (e)(4) of this section as follows:

a. If the qualifying person holds an initial license, for 180 days after the date the qualifying person returns from active deployment.

24 b. If the qualifying person holds a continuing or advanced license, for 270 days after the date the
25 qualifying person returns from active deployment.

26 (2) A qualifying person who held a valid continuing or advanced license at the time of deployment and who
27 wishes to renew the continuing or advanced license must submit to the Department an application for renewal within
28 180 days after the qualifying person has returned from active deployment. Applicants for renewal of a continuing
29 license must meet the requirements set forth in § 1212 of this title. Applicants for renewal of an advanced license must
30 meet the requirements set forth in § 1214 of this title.

31 (3) The protection from license expiration provided under this subsection does not void or limit the
32 obligations of the qualifying person to meet all requirements of licensure as established by Chapter 12 of this title and
33 the regulations promulgated thereunder.

34 (4) As used in this section, “qualifying person” means an individual who is a member of the active duty
35 military, a member of the National Guard, a member of the military reserve, retired military, or a military veteran.

36 (f) Notwithstanding any provision of Title 14 to the contrary, a qualifying person, as defined in paragraph (e)(4) of
37 this section, or the spouse of a qualifying person, may apply for reinstatement of a license issued by the Department
38 pursuant to Chapter 12 of this title within 2 years of the lapse or expiration of the license. The qualifying person or the
39 spouse of a qualifying person must submit an application to reinstate the license together with a copy of official verification
40 that the applicant is a qualifying person or the spouse of a qualifying person and the qualifying person is assigned to a duty
41 station in this State. This subsection does not apply to a license that was suspended or revoked.”

SYNOPSIS

This Amendment clarifies the difference in the deferral of the expiration of a license for a qualifying person who holds an initial license and the deferral of the expiration of a license for a qualifying person who holds a continuing or advanced license. This Amendment also applies the provisions for deferral of expiration of a license for a qualifying person to § 1216. Section 1216 provides for a license extension upon a showing by an educator of exigent circumstances and a license freeze for an educator who takes an extended leave of absence. By amending § 1216, the act will now apply to public school educators who are licensed in accordance with Chapter 12 of Title 14.