



SPONSOR: Sen. Bonini  
Sens. Hocker, Richardson, Wilson

DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE BILL NO. 329

AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO IMMIGRATION  
ENFORCEMENT

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members  
elected to each house thereof concurring therein):

Section 1. Amend Chapter 3, Title 9 of the Delaware Code by making deletions as shown by strike through and  
insertions as shown by underline as follows:

§350 Sanctuary policies prohibited

(a) As used in this section:

(1) “Law enforcement officer” means a police officer of a political subdivision with the duty and power  
of arrest for violation of the general criminal laws of the state or for violation of ordinances of political subdivisions.

(2) “Political subdivision” means any county or municipality.

(3) “Political subdivision official” means an elected or appointed official or any law enforcement officer  
serving the political subdivision.

(4) “Sanctuary policy” means political subdivision’s order or ordinance, enacted or followed that does  
one or more of the following:

a. Limits or prohibits any political subdivision official, or person employed by the political  
subdivision from communicating or cooperating with federal agencies or officials to verify or report the immigration status  
of any alien within such political subdivision;

b. Grants to illegal aliens the right to lawful presence or status within the political subdivision in  
violation of federal law.

(b) No political subdivision shall enact or adopt any sanctuary policy. Any political subdivision that enacts or  
adopts a sanctuary policy shall be ineligible for any moneys provided by any state agency or department until the sanctuary  
policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific political  
subdivision of this State or prior to the provision of funds or awarding of any grants to a political subdivision of this State,

any member of the General Assembly may request that the Attorney General of the State of Delaware issue an opinion as to whether the political subdivision has current policies in contravention of this section.

(c) The governing body or chief of police of each political subdivision shall provide each law enforcement officer with written notice of their duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

Section 2. Amend Chapter 1, Title 22, Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 119 Sanctuary polices prohibited

(a) As used in this section:

(1) “Law enforcement officer” means a police officer of a political subdivision with the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of political subdivisions.

(2) “Political subdivision” means any county or municipality.

(3) “Political subdivision official” means an elected or appointed official or any law enforcement officer serving the political subdivision.

(4) “Sanctuary policy” means any political subdivision’s order or ordinance, enacted or followed that does one or more of the following:

a. Limits or prohibits any political subdivision official or person employed by the political subdivision from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien within such political subdivision;

b. Grants to illegal aliens the right to lawful presence or status within the political subdivision in violation of federal law.

(b) No political subdivision shall enact or adopt any sanctuary policy. Any political subdivision that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided by any state agency or department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific political subdivision of this State or prior to the provision of funds or awarding of any grants to a political subdivision of this State, any member of the General Assembly may request that the Attorney General of the State of Delaware issue an opinion as to whether the political subdivision has current policies in contravention of this section.

(c) The governing body or chief of police of each political subdivision shall provide each law enforcement officer with written notice of their duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

### SYNOPSIS

This Act intends to ensure that political subdivisions of this State follow the state and federal laws governing immigration.

Author: Senator Bonini