SPONSOR: Rep. Morrison & Rep. Minor-Brown & Sen. Poore
Reps. Baumbach, K. Johnson, Phillips, Romer; Sens. Gay, Hoffner, S. McBride, Sokola

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 74

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MANDATORY REPORTING OF CHILD ABUSE.

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

Section 1. Amend § 909, Title 16 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 909. Privileged communication not recognized [Effective Jan. 8, 2023].

(a) No legally recognized privilege, except that between attorney and ~~client and that between priest and penitent in a sacramental confession,~~ client, applies to situations involving known or suspected child abuse, neglect, exploitation, or abandonment and does not constitute grounds for failure to report as required by § 903 of this title or to give or accept evidence in any judicial proceeding relating to child abuse or neglect.

Ssynopsis

This Act abrogates the privilege between priest and penitent in a sacramental confession relating to child abuse and neglect. It requires priests to report child abuse and neglect or to give or accept evidence in a judicial proceeding relating to child abuse or neglect.