



SPONSOR: Sen. Sokola & Rep. Schwartzkopf

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 192

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES.

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

1 Section 1. Amend § 4201, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4201. Transition provisions.

4 (c)(1) The following felonies shall be designated as violent felonies:

5 ~~(d)(2)~~ Any attempt to commit any felony designated in ~~subsection (e) paragraph (c)(1)~~ of this section as a
6 violent felony shall also be designated as a violent felony.

SYNOPSIS

In 2015, the General Assembly, in Chapter 28 of Volume 80 of the Laws of Delaware, designated as subsection (d) the last sentence of § 4201(c) of Title 11 regarding attempts to commit a felony listed as a violent felony (“the last sentence”). The clear intent of the 2015 legislation was to make a technical correction, not to make a substantive change. However, the General Assembly should have designated the last sentence as paragraph (c)(2), as the intent of the General Assembly was to maintain the connection between the violent felony list and the last sentence, such that citations to § 4201(c) of Title 11 were intended to reference both the violent felony list and the last sentence. This Act makes a technical correction of this inadvertent Delaware Code designation error.

Author: Senator Sokola