



SPONSOR: Rep. Gray & Sen. Hocker

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 254

AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLVILLE RELATING TO THE METHOD OF MAKING NOMINATIONS FOR A TOWN COUNCIL MEMBER.

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

1 Section 1. Amend Section 6 of the Charter of the Town of Millville by making deletions as shown by  
2 strikethrough and insertions as shown by underline as follows:

3 **Method of Making Nominations For Town Council Member**

4 **Section 6.**

5 At a minimum, Title 15 of the Delaware Code shall be followed where applicable. However, certain items in this  
6 Section exceed those requirements and are to be followed. Each candidate for Town Council member shall be nominated as  
7 follows:

8 (a) Each candidate shall notify the Town Manager or designee in writing of his or her ~~candidacy~~ intention to run  
9 for the office of Town Council member. ~~At that time, To do so,~~ the candidate shall fill out and file with the Town Manager  
10 ~~or designee, the Ethics Form in Appendix B of this Charter.~~ all of the following:

11 (1) Application for Town Council Member.

12 (2) Certificate of Intention.

13 (3) Proof of residency.

14 (4) Ethics Form.

15 (5) Consent Form for a criminal background check (the costs of the Criminal History Background Check are paid  
16 for by the Candidate).

17 (b) All documents required under this section ~~such notifications of candidacy, consent to the required background~~  
18 ~~check, and the completed Ethics Form, along with the Certificate of Intention or a Statement of Organization,~~ must be filed  
19 with the Town Manager or designee during the regular business hours of the Town on or before the close of business on the  
20 first Friday in ~~the month of February; and thereupon it shall be the duty of the~~ February. The results of the criminal  
21 background check must be obtained by the candidate and provided to the Town Manager or designee at least one (1) week  
22 before the election. The costs of the criminal background check shall be paid by the candidate. The Town Manager or

23 designee ~~to~~ shall have a list of all candidates so filed printed in at least one (1) newspaper of general circulation in the Town  
24 of Millville at least fifteen (15) days prior to the date of the said Annual Municipal Election next ensuing; and, in the  
25 discretion of the Town Council, the Secretary may post a list of names of all candidates designating the office sought by  
26 each candidate in at least five (5) public places in the Town and on the Millville Town website. One of the public places  
27 shall be in or outside the Town Hall of the Town of Millville.

28 (c) The Town Manager or designee shall submit the names of candidates for each office up for election to the  
29 Sussex County Department of Elections no later than one (1) business day following the deadlines for the elected positions.

30 Section 2. This Act shall take effect on the first January 31<sup>st</sup> following its enactment.

#### SYNOPSIS

This Act amends the Charter of The Town of Millville. Specifically, the Act more clearly identifies the documents needed to file for a Town Council member position, as well as the logistics of the candidate providing the results of the criminal background check to the Town.