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HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 275

AN ACT TO AMEND TITLE 6, TITLE 11, TITLE 18, TITLE 19, AND TITLE 25 OF THE DELAWARE CODE
RELATING TO THE DEFINITION OF SEXUAL ORIENTATION.

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

1 Section 1. Amend § 4502, Title 6 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 4502. Definitions.

4 For purposes of this chapter:

5 (27) "Sexual orientation" includes heterosexuality, homosexuality, ~~or bisexuality.~~ bisexuality, asexuality, or
6 pansexuality.

7 Section 2. Amend § 4602, Title 6 of the Delaware Code by making deletions as shown by strike through and
8 insertions as shown by underline as follows:

9 § 4602. Definitions.

10 ~~As used in~~ For purposes of this chapter:

11 (26) "Sexual orientation" includes heterosexuality, homosexuality, ~~or bisexuality.~~ bisexuality, asexuality, or
12 pansexuality.

13 Section 3. Amend § 222, Title 11 of the Delaware Code by making deletions as shown by strike through and
14 insertions as shown by underline as follows:

15 § 222. General definitions.

16 When used in this Criminal Code:

17 (32) "Sexual orientation" includes heterosexuality, ~~bisexuality, or homosexuality.~~ homosexuality, bisexuality,
18 asexuality, or pansexuality.

19 Section 4. Amend § 2304, Title 18 of the Delaware Code by making deletions as shown by strike through and
20 insertions as shown by underline as follows:

21 § 2304. Unfair methods of competition and unfair or deceptive acts or practices defined.

22 The following are defined as unfair methods of competition and unfair or deceptive acts or practices in the
23 business of insurance:

24 (22) *Unfair discrimination in the value of insurance policies and premiums based on race, color, religion,*
25 *sexual orientation, gender identity or national origin; penalty.* — a. It is an unlawful practice for any insurance
26 company licensed to do business in this State to discriminate in any way because of the insured’s race, color, religion,
27 sexual orientation, gender identity, or national origin, or to make, publish, disseminate, circulate, or place before the
28 public, or cause, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a
29 newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any
30 radio or television station, or in any other way, to include the writing of any policy or the application therefor, an
31 advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the
32 business of insurance or with respect to any person in the conduct of the insurance business, which discriminates in any
33 way because of the insured’s race, color, religion, sexual orientation, gender identity, or national origin or to classify or
34 refer to any individual on the basis of race, color, religion, sexual orientation, gender identity, or national origin.

35 b. For purposes of this paragraph (22):

36 4. “Sexual orientation” includes heterosexuality, homosexuality, ~~or bisexuality.~~ bisexuality,
37 asexuality, or pansexuality.

38 Section 5. Amend § 710, Title 19 of the Delaware Code by making deletions as shown by strike through and
39 insertions as shown by underline as follows:

40 § 710. Definitions.

41 For the purposes of this subchapter:

42 (28) “Sexual orientation” includes heterosexuality, homosexuality, ~~or bisexuality.~~ bisexuality, asexuality, or
43 pansexuality.

44 Section 6. Amend § 5141, Title 25 of the Delaware Code by making deletions as shown by strike through and
45 insertions as shown by underline as follows:

46 § 5141. Definitions.

47 ~~The following words, terms and phrases, when used in this part, shall have the meanings ascribed to them in this~~
48 ~~section, except where the context clearly indicates a different meaning:~~ For purposes of Part III of this title:

49 (34) “Sexual orientation” includes heterosexuality, homosexuality, ~~or bisexuality.~~ bisexuality, asexuality, or
50 pansexuality.

SYNOPSIS

This Act updates the definition of "sexual orientation" throughout the Delaware Code by adding asexuality and pansexuality. Asexuality refers to individuals with little to no sexual attraction to other individuals, although asexual individuals may desire emotionally intimate relationships with other individuals. Pansexuality refers to individuals who are attracted sexually or romantically, or both, to another individual regardless of that individual's sex or gender identity.

This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.