



SPONSOR: Sen. Hansen

DELAWARE STATE SENATE  
150th GENERAL ASSEMBLY

SENATE AMENDMENT NO. 1  
TO  
HOUSE BILL NO. 114

AMEND House Bill No. 114, as amended, by striking House Amendment No. 1 to House Bill No. 114 in its entirety.

FURTHER AMEND House Bill No. 114, as amended, between lines 9 and 10 of House Bill No. 114 by inserting the following:

“§ 209. Record of solemnization; reported by whom; affidavit; evidentiary weight of certificate or affidavit; supplies of civil union licenses, ~~books~~ books, and other forms.”.

FURTHER AMEND House Bill No. 114, as amended, by deleting lines 41 through 43 of House Bill No. 114 in their entirety and inserting in lieu thereof the following:

“(f) When 72 years have elapsed after the date of ~~birth or birth~~, 40 years have elapsed after the date of ~~death~~ death, or 50 years have elapsed after the date of marriage, the records of these events shall become public records and information shall be made available in accordance with regulations which shall provide for the continued safekeeping of the records.”.

FURTHER AMEND House Bill No. 114, as amended, after line 51 of House Bill No. 114 by inserting the following:

“Section 4.

(1) The county clerks of the peace and Office of Vital Statistics shall prepare and submit a report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives, with copies to all members of the General Assembly and the Librarian of the Division of Research of Legislative Council, no later than March 1, 2020, containing an analysis of issues related to, and recommendations regarding, the feasibility and positive and negative effects of increasing the waiting periods contained in § 3110(f) of Title 16 of the Delaware Code for the full disclosure of birth, death, and marriage records.

(2) In preparing the report, the county clerks of the peace and Office of Vital Statistics shall assume that an increase in the waiting periods occurs in conjunction with granting the right to limited disclosure of the records before

23 full disclosure, with the limited disclosure including only certain basic information or the redaction of sensitive  
24 information that is part of the record.”.

#### SYNOPSIS

This Amendment does the following:

(1) Strikes House Amendment No. 1 to House Bill No. 114, reverting the waiting periods for public access to individual vital records to the periods provided in House Bill No. 114 and then amends House Bill No. 114 to further revert the waiting periods for birth and death records to 72 and 40 years, respectively, and to increase the waiting period for marriage records from 40 years to 50 years.

(2) Amends House Bill No. 114 to include the Delaware Code section heading for § 209 of Title 13 to add clarity.

(3) Requires the county clerks of the peace and the Office of Vital Statistics to prepare and submit a report to President Pro Tempore of the Senate and the Speaker of the House of Representatives, with copies to all members of the General Assembly and the Librarian of the Division of Research of Legislative Council, no later than March 1, 2020, on the feasibility of increasing the waiting periods related to the full disclosure of birth, death, and marriage records.

Author: Senator Hansen