



SPONSOR: Rep. Lynn & Rep. Longhurst & Rep. Baumbach &  
Rep. Dorsey Walker & Sen. Townsend & Sen. McBride  
Reps. Bentz, Chukwuocha, K. Johnson, Kowalko,  
Matthews, Minor-Brown, Seigfried; Sens. Lockman,  
McDowell, Sokola, Sturgeon

HOUSE OF REPRESENTATIVES  
150th GENERAL ASSEMBLY

HOUSE BILL NO. 305

AN ACT PROPOSING AN AMENDMENT TO § 11, ARTICLE I OF THE DELAWARE CONSTITUTION RELATING  
TO PROHIBITING THE IMPOSITION OF THE DEATH PENALTY.

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 § 11, Article I of the Delaware Constitution by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:
- 3           § 11. Excessive bail or fines; cruel punishments; health of prisoners.
- 4           Section 11. Excessive bail shall not be required, nor excessive fines imposed, nor the death penalty imposed, nor  
5     cruel punishments inflicted; and in the construction of jails a proper regard shall be had to the health of prisoners.

SYNOPSIS

This Act is the first leg of an amendment to the Delaware Constitution to prohibit the imposition of the death  
penalty.

This Act requires a greater than majority vote for passage because § 1 of Article XVI of the Delaware Constitution  
requires the affirmative vote of two-thirds of the members elected to each house of the General Assembly when the General  
Assembly amends the Delaware Constitution.