



SPONSOR: Rep. Griffith & Sen. Hansen
Reps. Briggs King, Heffernan, Mitchell, K. Williams;
Sen. Hocker

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 227

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD PROTECTION FROM
DOMESTIC VIOLENCE.

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

Section 1. Amend § 703A, Title 13 of the Delaware Code by making deletions as shown by strike through and
insertions as shown by underline as follows:

§ 703A. Definitions.

(a) "Domestic Violence" includes but is not limited to physical or sexual abuse or threats of physical or sexual
abuse and any other offense against the person committed by 1 parent against the other parent, against any child living in
either parent's home, or against any other adult living in the child's home. "Domestic violence" does not include reasonable
acts of self-defense by 1 parent for self-protection or in order to protect the child from abuse or threats of abuse by the other
parent or other adult living in the child's home.

(b) "Perpetuator of domestic violence" means any individual who has been convicted of committing any of the
following criminal offenses in the State, or any comparable offense in another jurisdiction, against the child at issue in a
custody or visitation proceeding, against the other parent of the child, or against any other adult or minor child living in the
home:

(1) Any felony level ~~offense~~; offense.

(2) Assault in the third ~~degree~~; degree.

(3) Reckless endangering in the second ~~degree~~; degree.

(4) Reckless burning or ~~exploding~~; exploding.

(5) Unlawful imprisonment in the second ~~degree~~; degree.

(6) Unlawful sexual conduct in the third ~~degree~~; ~~or~~ degree.

(7) Criminal contempt of Family Court protective order based on an assault or other physical abuse, threat of
assault or other physical abuse or any other actual placing the petitioner in immediate risk or fear of bodily ~~harm~~; harm.

(8) Child abuse in the third degree.

SYNOPSIS

This Act adds child abuse in the third degree to the list of enumerated criminal offenses for which, if convicted, one is by definition considered a “perpetrator of domestic violence” for purposes of this Child Protection From Domestic Violence Act. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.