SPONSOR: Rep. Chukwuocha & Rep. Dorsey Walker & Sen. Gay
Reps. Baumbach, Bolden, Carson, Collins, Harris, Hilovsky, K. Johnson, Osienski, D. Short; Sens. Buckson, Hansen, Hocker, Hoffner, Huxtable, Lawson, Mantzavinos, Pettyjohn, Poore, Richardson, Walsh, Wilson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 310
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLES 6, 14, AND 29 OF THE DELAWARE CODE RELATING TO THE UNITED STATES SPACE FORCE.

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

Section 1. Amend § 2502D, Title 6 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2502D. Definitions.

For purposes of this chapter:

(3) "Military service" means:

a. In the case of a servicemember who is a member of the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard, active duty, as defined in 10 U.S.C. § 101(d)(1);

(5) a. "Servicemember" means a resident of the State or a natural person stationed in the State who is a member of the Army, Navy, Air Force, Space Force, Marine Corps, Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration, the commissioned corps of the Public Health Service, or the Delaware National Guard.

b. Whenever the term "servicemember" is used, it shall be treated as including a reference to a legal representative of a servicemember, which shall include an attorney acting on behalf of the servicemember or an individual possessing power of attorney.

Section 2. Amend § 122, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 122. Rules and regulations.

(b) The Department shall prescribe rules and regulations:

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(28) Developing a process for districts and charter schools to annually identify any enrolled student who is a "military-connected youth." For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent, stepparent, sibling or any other person residing in the same household, who is on active duty in; serving in the reserve component; or recently retired from a "branch of the United States armed forces." For purposes of this section, "branch of the United States armed forces" ~~means:~~ means all of the following:

a. United States ~~Army;~~ Army.

b. United States Air ~~Force;~~ Force.

c. United States Marine ~~Corps;~~ Corps.

d. United States ~~Navy;~~ Navy.

e. National ~~Guard;~~ Guard.

f. United States Coast ~~Guard;~~ Guard.

g. National Oceanic and Atmospheric ~~Administration; or~~ Administration.

h. United States Public Health Service.

i. United States Space Force.

The identification of a "military-connected youth" shall not be used for purposes of determining school achievement, growth, or performance. Provided further, the identification of a "military-connected youth" is not a public record under Delaware's Freedom of Information Act (Chapter 100 of Title 29) or any other law and shall not be made public by any person, except as permitted under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g. Rules and regulations on this subject shall be proposed by the Secretary subject to approval by the State Board of Education.

Section 3. Amend § 161A, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 161A. Definitions.

As used in this compact, unless the context clearly requires a different construction:

R. "Uniformed service(s)" means: the Army, Navy, Air Force, Space Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

Section 4. Amend § 5935, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5935. Veterans' and members' preference.

(a) The rules shall provide for preference to be given to veterans of the armed forces of the United States (Army, Navy, Air Force, Space Force, Marine Corps, and Coast Guard) who served as an active member of the armed forces of the United States and were terminated honorably. The rules shall also provide for preference to be given to active and honorably discharged members with at least 20 years of service in either the Delaware National Guard or a reserve unit located within Delaware.