

SPONSOR: Rep. K. Williams & Rep. Michael Smith & Sen. Poore & Sen. Richardson
Reps. Dukes, Gorman, Griffith, Bush, Romer; Sens. Hocker, Lawson

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 27
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE ANTI-TRAFFICKING ACTION COUNCIL.

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

Section 1. Amend § 787, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 787. Trafficking an individual, forced labor and sexual servitude; class D felony; class C felony; class B felony; class A felony.

(k) (2) The Council consists of the following ~~24~~ 25 members:

a. Three representatives of the Judicial Branch, as appointed by the Chief ~~Justice;~~ Justice.

b. A representative of the Department of Justice to be appointed by the Attorney ~~General;~~ General.

c. A representative of the Office of Defense Services to be appointed by the Chief ~~Defender;~~ Defender.

d. A representative of the law-enforcement community to be appointed by the Speaker of the Delaware House of ~~Representatives;~~ Representatives.

e. A representative of the health-care community to be appointed by the President Pro Tempore of the Delaware State ~~Senate;~~ Senate.

f. A representative of the Department of Health and Social Services to be appointed by the Secretary of the Department of Health and Social ~~Services;~~ Services.

g. A representative of the Department of Labor to be appointed by the Secretary of ~~Labor;~~ Labor.

h. A representative of the Department of Services for the Children, Youth and Their Families to be appointed by the Secretary of the Department of Services for the Children, Youth and Their ~~Families;~~ Families.

s. A retired judicial officer with knowledge of human trafficking to be appointed by the Speaker of the Delaware House of Representatives.

(4) Meetings; quorum; officers; committees; procedure.

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a. The Council shall meet at least 4 times per year. ~~Thirteen~~ Ten members constitute a quorum. Except as set forth under paragraph (k)(5) of this section, the Council may take action upon the affirmative vote of a majority of Council members present at a meeting.

f. 3. The Council shall include in the annual report ~~that it submits under paragraph (k)(4)f.1. of this section how the Council spent any state funds received for the previous fiscal year.~~ an explanation of the spending of any state, federal, or other funds received. For purposes of this paragraph (k)(4)f.3., "state funds" means any state money allocated to the Council other than funding for staff positions.

4. ~~At each full council meeting, the Council shall provide a report to meeting attendees on how it has, since the previous full council meeting, spent any state funding received.~~ [Repealed.]

g. The Council may hold a virtual meeting in compliance with § 10006A of Title 29, except that the Council is permitted to have a staff member present at an anchor location in lieu of or in addition to having a member of the council present.

(5) a. The Council shall employ an Executive Director to be appointed by the Chair with approval of a ~~quorum~~ majority of the full membership of the Council. The Executive Director will serve at the pleasure of a ~~quorum~~ majority of the full membership of the Council. A vacant position is not counted for purposes of calculating full membership of the Council under this paragraph (k)(5).

c. ~~Subject to the approval of a quorum of the Council and within~~ Within the limits of any appropriation made by the General Assembly or available funding from another funding source, the Executive Director of the Council shall employ staff and contract for services as necessary to carry out the functions of the Council.

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