SPONSOR: Rep. Morrison & Sen. Hoffner
Reps. Griffith, Romer, Harris; Sen. Hocker

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 326
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT BY IMPERSONATION OF A FAMILY MEMBER.

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

Section 1. Amend Part D, Subchapter III, Chapter 5, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 841E. Theft by impersonation of a family member; class B felony; class C felony; class E felony; class F felony; restitution.

(a) A person is guilty of theft by impersonation of a family member when the person does all of the following:

(1) Takes, exercises control over, or obtains property of another person intending to deprive that person of it or appropriate it. Theft includes the acts described in this section, as well as those described in §§ 841 through 846 of this title.

(2) In the course of committing the theft or an attempt to commit the theft, the person, who is not an immediate family member of the victim of the theft, uses any oral, written, or electronic communication that is represented to be from an immediate family member of the victim of the theft or from one acting on behalf of or for the benefit of an immediate family member of the victim of the theft, with the intent that the communication facilitate commission of the theft. Immediate family member means a spouse, child, sibling, parent, grandparent, or grandchild and includes stepparents, stepchildren, stepsiblings, and adoptive relationships.

(b)(1) Except where a victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902 of Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12, theft by impersonation of a family member is a class F felony.

(2) Where a victim is 62 years of age or older, or an "adult who is impaired" as defined in § 3902 of Title 31, or a "person with a disability" as defined in § 3901(a)(2) of Title 12, theft by impersonation of a family member is a class F felony unless the value of the property received, retained, or disposed of is $1,500 or more, in which case it is a class E felony.

HD : KRW : SCD : 0131530102
DLS : HVW : CBM : 5081530230
Released: 06/23/2026 03:25 PM

(3) Notwithstanding paragraphs (b)(1) and (2) of this section:

a. Where the value of the property received, retained, or disposed of is more than $50,000 but less than $100,000, theft by impersonation of a family member is a class C felony.

b. Where the value of the property received, retained, or disposed of is $100,000 or more, theft by impersonation of a family member is a class B felony.