



SPONSOR: Rep. Buckworth & Rep. Wagner & Sen. Vaughn ;
Rep. Schwartzkopf ; Sens. Still Bonini
Rep. Thornburg

HOUSE OF REPRESENTATIVES

143rd GENERAL ASSEMBLY

HOUSE BILL NO. 88

AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO STATE POLICE.

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

1 Section 1. Amend § 8302, Subchapter I, Chapter 83, Title 11 of the Delaware Code by adding a new subsection to read as
2 follows:

3 “(c) State Police shall have all powers and jurisdiction to enforce all County ordinances duly enacted in the
4 unincorporated areas of Kent County and Sussex County.”.

SYNOPSIS

The Delaware State Police are the only police authority serving the unincorporated areas of Kent and Sussex Counties. A recent Court decision dismissed a noise ordinance violation case being prosecuted by the State Police contending that the State Police lacked jurisdiction to enforce a County ordinance.

The noise ordinance in question had been duly enacted by Kent County in the mid 1990's and had been enforced by the State Police and the State Police were given equipment and training to be able to enforce the County noise ordinance.

This Act is to clearly designate that the State Police can enforce such laws in the unincorporated areas of Kent and Sussex Counties.