



SPONSOR: Rep. Spence & Sen. McBride & Rep. Valihura & Sen. Cloutier ;
Reps. Smith, Atkins, Carey, Ewing, Fallon, Gilligan, Hocker, Lee,
Lofink, Oberle, Outten, Stone, Wagner; Sens. Adams, DeLuca, Still

HOUSE OF REPRESENTATIVES

143rd GENERAL ASSEMBLY

HOUSE BILL NO. 404

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

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

1 Section 1. Amend Title 11 of the Delaware Code by adding a new § 4205A to read as follows:

2 “§ 4205A. Additional Penalty for Serious Sex Offenders or Pedophile Offenders.

3 Notwithstanding any provision of this Chapter or any other laws to the contrary, a defendant convicted of any
4 crime set forth in § § 771, 772, 773, 778 or 779 of this Title shall be sentenced to imprisonment for the remainder of his or
5 her natural life without benefit of probation or parole or any other reduction if:

6 (1) the defendant has previously been convicted or adjudicated delinquent of any sex offense set forth in this
7 Title and classified as a class A or B felony, or any similar offense under the laws of another state, the United States or any
8 territory thereof; or

9 (2) the victim of the instant offense is a child less than fourteen (14) years of age.”.

SYNOPSIS

This Bill mandates the Superior Court to incarcerate a sex offender for the remainder of that sex offender's natural life where such sex offender is convicted of a class A or B felony sex offense against a child less than 14 years old or where such sex offender is convicted of his or her second class A or B felony sex offense. This shall be known as Jessica's Law.