



SPONSOR: Sen. DeLuca & Sen. Blevins & Sen. Henry

DELAWARE STATE SENATE
146th GENERAL ASSEMBLY

SENATE BILL NO. 50

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

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

1 Section 1. Amend §10002(c), Title 29, Delaware Code by adding at the end of that subsection, the following:
2 "Notwithstanding the forgoing, "public body" specifically includes any caucus of the House of Representatives or Senate of
3 the State when any such caucus involves any meetings or discussions involving redistricting and/or reapportionment."

4 Section 2. Amend §10002(g), Title 29, Delaware Code by adding immediately after phrase "recorded or
5 reproduced.", the following:

6 "Notwithstanding any language to the contrary or any statutory or common law exception to this definition,
7 "public record" includes any of the above-referenced information dealing in any way with the redistricting/reapportionment
8 process, whether within a caucus or without."

9 Section 3. Section 2 shall apply to any documents, emails, writings, and public records created from January 1,
10 2011 through the present, and shall apply to all created thereafter.

SYNOPSIS

This Bill will ensure that the redistricting process becomes entirely open. While the Freedom of Information Act has an exception for matters discussed within caucuses of the General Assembly, it is best that this process be entirely open. Accordingly, this Bill, notwithstanding existing FOIA exceptions (both statutory and common law) and an existing exclusion of matters discussed within caucuses, all documents and meetings regarding the redistricting process will be brought within the fold of public information. This Bill will ensure that every meeting involving the redistricting process will be open to the public.

Author: Senator DeLuca