



**153rd GENERAL ASSEMBLY
FISCAL NOTE**

BILL:	HOUSE BILL NO. 135
SPONSOR:	Representative Phillips
DESCRIPTION:	AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO HOMELESSNESS.

Assumptions:

1. This Act becomes effective upon signature by the Governor.
2. This Act, known as the "Dr. DeBorah Gilbert White Anti-Cruelty to Delawareans Experiencing Homelessness Act," permits an individual experiencing homelessness to conduct life-sustaining activities in public, and provides certain protections for property and vehicles of individuals experiencing homelessness.
3. This Act further permits an individual experiencing homelessness to raise a violation of this Act as an affirmative defense to any charge of violating a statute or ordinance that prohibits life-sustaining activities protected under this Act. This Act also authorizes the Attorney General, on behalf of the State, to commence a civil action, on its own initiative or in response to a complaint.
4. This Act specifically waives sovereign immunity of state or local governments for any suit brought under this chapter. Due to lack of relevant case data on related suits, the number of potential suits cannot be determined. However, it is assumed that such suits could result in significant legal fees and settlement costs to the state.
5. The Department of State, Division of Human and Civil Rights, administers Delaware's fair housing and equal accommodations laws and receives and investigates related complaints/incidents. Upon implementation, it is anticipated that the Division of Human and Civil Rights may receive additional complaints. However, because the volume and complexity of such complaints and ensuing investigations are unknown, the costs associated with additional resources that may be necessary to handle the additional workload are indeterminable.

Cost:

Fiscal Year 2026: Indeterminable, Potentially Significant
Fiscal Year 2027: Indeterminable, Potentially Significant
Fiscal Year 2028: Indeterminable, Potentially Significant

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Office of the Controller General