

State of Delaware

**State of Delaware
Legislative Review
2nd Session, 149th General Assembly
Prepared for USGO Members**



Presented By:

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Delaware Legislative Profile

Capital: Dover

Governor: John Carney (D)

General Elections: The second Tuesday in November in even-numbered years

Legislature Convenes: The second Tuesday in January thru June 30 of each year

General Assembly Statistics	
Senate	House
<p>Senators: 21</p> <p>Democrats: 11 Republicans: 10 Other: 0</p> <p>Term: 4 years</p>	<p>Representatives: 41</p> <p>Democrats: 25 Republicans: 16 Other: 0</p> <p>Term: 2 years</p>
Presiding Officers	Presiding Officers
<p>David McBride – President Pro Tempore Margaret Rose Henry – Majority Leader Nicole Poore – Majority Whip F. Gary Simpson – Minority Leader Gregory Lavelle – Minority Whip</p>	<p>Pete Schwartzkopf – Speaker Valerie Longhurst – Majority Leader John Viola – Majority Whip Daniel Short – Minority Leader Deborah Hudson – Minority Whip</p>
Major Utility Committee	Major Utility Committee
<p>Senate Environmental, Natural Resources & Energy</p> <p>Harris B. McDowell – Chair</p>	<p>Energy Committee</p> <p>Trey Paradee – Chair</p>

Delaware Legislative Session Review

The second session of the 149th Delaware General Assembly convened on January 9, 2018. The legislature adjourned the second year of the two-year session in the early hours of July 1st.

Delaware continues to be a Democratic state, however there are an unprecedented number of members of the General Assembly who have announced that they are retiring and will not run for re-election in 2018. As of this writing, the count stands at 11, including 3 Senators (2D/1R) and 8 Representatives (5D/3R). In sum, that means that nearly one in five of all legislative seats (and one in four of the 41 House seats) will be held by a newcomer when the General Assembly reconvenes in January 2019.

While the party balance in the House is unlikely to be impacted, the results of these elections could change the balance of the Senate, given that the Democrats hold only a one seat majority. Additionally, like what we have seen across the United States, there are many political newcomers running for all levels of elected office hoping to make an impact.

Energy / Environmental Impact

Governor Carney remains a proponent for the environment and clean energy and has fought against President Trump's environmental policy rollbacks. Governor Carney opposed President Trump's effort to dismantle the Clean Power Plan by issuing an Executive Order and also opposed the President's effort to open up the Atlantic Ocean to offshore drilling, stating that it would adversely impact Delaware's tourism and aquafarming economy.

Governor Carney has also asked that the EPA intervene under the Clean Air Act in the states that are 'upwind' from Delaware. Delaware's air quality ranks among the worst in the country and for the 19th year, New Castle County got an "F" for clean air 90 percent of that pollution comes from other states. Governor Carney has made water quality a priority of his administration, stating that more than 90% of the waterways are not safe for drinking, swimming or fishing.

The Governor has continued Delaware's commitment to participating in the Regional Greenhouse Gas Initiative, working towards cleaner air, lower energy bills and sustainable, economic growth. As part of this effort, he has vocally supported the growth of electric vehicle use in the state. Governor Carney continues to support the state's renewable energy targets and increased energy efficiency standards.

Economic Impact

While Governor Carney entered his first term facing a nearly \$400 million budget deficit, current projections suggest that Delaware will see a surplus in 2018 - the added revenue will depend upon how the \$1.5 trillion federal tax cuts approved in the December's Tax Cuts and Jobs Act impacts the state's reserves, something that is still unknown.

The final operating budget for the fiscal year, \$4.27 billion, was approved by the General Assembly on June 26, 2018, several days prior to the end of session. An additional \$49 million supplemental bill was also signed, ensuring that state workers receive pay raises and one-time bonuses. The budget increases the state's operating budget spending to just over 5 percent.

In addition to the spending bills, Governor Carney also signed an Executive Order which will require the Governor's Office to stay within certain fiscal restraints when proposing the Governor's spending recommendations each January. The Order contains many of the elements that were found in House Bill 460, a proposal that was unsuccessful in the legislature.

State Government

While the budget was passed several days before its deadline, a battle over a bill to increase the minimum wage nearly derailed the process to approve the bond bill and grant-in-aid. In the end, a compromise was reached and the General Assembly avoided the deadlock that delayed the budget bill during last year's session.

Ultimately the General Assembly passed an \$816 million Bond Bill for capital projects, a 40 percent increase over the current year. These funds pay for highway improvements and other major construction projects. In addition, members also approved a \$52.1 million grant-in-aid package to assist non-profits and fire companies, restoring much of the funding that was cut last year when the state faced a significant budget deficit.

Below is a summary of the legislation that was of specific interest to the utility industry during the 149th Delaware General Assembly. Because the 149th General Assembly has adjourned its two-year session, bills that are not with the Governor for action are considered dead and would require reintroduction when the General Assembly reconvenes in 2019.

Energy Supply			
Bill No.	Final Result	Subject	Summary / Synopsis
House Bill 58 with HA 1	Defeated by House vote	Solar Energy Systems	Enables the use of roof or ground mounted solar systems on privately owned residential dwellings by making covenants or other restrictions that effectively prohibit or unreasonably restrict the installation of solar photovoltaic systems in Delaware void and unenforceable, regardless of the date recorded. This bill also explains that it is the policy of the State of Delaware to protect the public health, safety, and welfare by encouraging the development and use of renewable resources and to remove obstacles thereto. Further provides for costs and reasonable attorneys' fees to be awarded to the prevailing party in any litigation arising under the provisions of this Section. It does not render void and unenforceable reasonable restrictions on roof or ground mounted solar systems.
Senate Bill 113 with SA 1, 2, 4, 5	Passed, ready for Governor's action	Property Assessed Clean Energy Program	Authorizes the creation of a Delaware Voluntary Property Assessed Clean Energy (D-PACE) program to establish a clean energy financing program for the installation of energy efficiency technologies and clean energy systems for qualifying commercial real properties statewide. PACE programs are authorized in more than 30 states nationwide. The financing will be secured by and payable from a voluntary assessment imposed on the property benefited by the qualifying energy improvement. The bill calls upon the Sustainable Energy Utility (SEU) to administer the program and establish a statewide financing program to aid counties in expanding clean energy projects in their jurisdictions. Projects under D-PACE can be financed through the SEU or other participating financial institutions.

Senate Bill 265	Senate Environmental, Natural Resources & Energy Committee	Renewable Energy Portfolio Standards Caps	This Act amends the Renewable Energy Portfolio Standards Act (REPSA) to provide for a workable cost cap to protect Delmarva Power customers from sharp annual increases in their bills due to the cost of procuring renewable energy. This Act authorizes the Director of the Division of Energy and Climate of the Department of Natural Resources and Environmental Control (DNREC) to freeze the renewable portfolio standard (RPS) if the cost of compliance to Delmarva Power customers increases by more than 1% a year, or 0.5% for solar power, without shutting down the RPS permanently. However, this Act requires the Director to lift a freeze if the increase in costs is expected to fall below the annual cost caps. This Act revises the RPS cost cap provisions by making it clear that the cost caps measure the annual increase in the cost of compliance with REPSA. This Act reduces the cost cap thresholds from 3% to 1% for renewable energy overall and from 1% to 0.5% for solar energy. Finally, the Act delineates the authority to promulgate regulations on the part of DNREC and the Public Service Commission to avoid any regulatory conflict and ensure that the agencies work together to implement REPSA while protecting customers from sharp cost increases.
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Safety			
Bill No.	Final Result	Subject	Summary / Synopsis
Senate Bill 57	House Ready List	Vehicle Safety	Places a duty on the drivers of motor vehicles to clean ice and snow off of their vehicles prior to driving on the State's highways. Greater penalties are provided for ice or snow dislodging from a moving vehicle and causing physical injury or property damage.
Senate Bill 152	House Ready List	EV Charging Safety Standards	Facilitates EV and grid-integrated electric vehicle interconnection by including the Society of Automotive Engineers industrial safety standard, J3072, which sets safety requirements for EVs that provide power from their batteries back to the electric grid.

Senate Bill 189 with SA2	Passed, ready for Governor's action	Miss Utility	The U.S. Department of Transportation has recently found Delaware to be non-compliant with enforcement of underground excavation violations. This jeopardizes federal funding for the Commissions pipeline safety program. Two principal reasons for this have been the lack of notification to State agencies and the lack of enforcement when damage is known. This bill updates Title 26, Chapter 8 by ensuring notification of excavation damage to the appropriate State agencies for potential penalties or other enforcement proceedings. It provides that either the Attorney General or the Public Service Commission may enforce penalties appropriate for the circumstances and gravity of the violation.
House Bill 480	House Energy Committee	Net Energy Metering	This legislation increases access to Delaware's existing community solar program by expanding geographic eligibility requirements of the program. The legislation also ensures 15% of all community solar facilities provide savings to low-to-moderate income households, and enables community solar facilities to reach 5 megawatts in size, which will maximize solar savings and grow the number of homes that can subscribe to a program.

Regulatory

Bill No.	Final Result	Subject	Summary / Synopsis
House Bill 83	House Transportation Committee	Rights of Way	Clarifies a county government authority to enact and enforce an ordinance affecting an area within a right of way and consistent with state code. Specifically, it enables a county government to enact an ordinance that concerns the maintenance of sidewalks in residential subdivisions.
House Bill 114 with HA1	Signed by Governor	Automobile Insurance Coverage	The purpose of this amendment is to better protect the motorists of the State of Delaware by raising the minimum automobile bodily injury and property damage limits to reflect the current economic conditions. The minimum automobile liability limits have not been raised in the State of Delaware since July 19, 1983. Most motor vehicle policies sold in Delaware provide \$10,000 for property damage coverage.

			<p>Bodily injury insurance proceeds are frequently used to cover the cost of not only pain and suffering, but an injured person's medical expenses and lost wages, which have increased since 1983. For example, \$15,000 in 1983 is equivalent to \$35,960.54 in 2016, based on the federal Consumer Price Index – Urban statistics for 1983 and 2016. In addition, \$30,000 in 1983 is equivalent to \$71,921.08 in 2016.</p>
House Bill 127 with HA 1	Signed by Governor	CPCN	<p>Updates Title 26 relating to the requirements for obtaining a certificate to operate in Delaware as a new electric transmission utility. This bill uses language similar to certificate requirements for water, wastewater, and other utility services under the jurisdiction of the Public Service Commission (“Commission”). Due to recent changes in federal law, certain projects will now be available to entities both in and out of state. In order to perform this type of work in Delaware, a company will need to obtain a certificate from the Commission. Currently, there are no qualifications defined for the Commission to assess the impact a project of this nature will have on Delaware and its citizens. Provides the Commission with the necessary authority to assess that impact and revoke a certificate in the future for good cause.</p>
Senate Joint Resolution 1	Signed by the Governor	Artificial Island	<p>This Joint Resolution opposes the cost allocation of the Artificial Island Transmission Project as unfair and unduly burdensome to the ratepayers of Delaware and urges PJM to join with Delaware in contesting the cost allocation in the proceedings pending before FERC.</p>
Senate Bill 30	Senate Ready List	Political Action Committees	<p>Requires political committees to report a contributor's occupation and employment information. This is already a requirement in federal campaign finance law. If only a contributor's name and address are disclosed (without occupation and employer), it is difficult to determine which industry, company, or group is funding a candidate. This will assist in furthering transparency and disclosure in the electoral process. It also addresses the obligation of the reporting candidate and treasurer.</p>

Senate Bill 88	Senate Environmental Natural Resources & Energy Committee	The Sustainable Energy Utility	Requires Senate confirmation of the 11 members of the SEU Oversight Board. This Act also makes a technical correction to conform existing law to the standards of the Delaware Legislative Drafting Manual.
Senate Substitute 1 for Senate Bill 80 with SA 1, 2	Signed by the Governor	Distribution System Improvement Charge	Replicates and extends to electric and natural gas utilities the same authority that has previously been granted to water utilities. This authority allows for the implementation of an interim rate mechanism already in existence for water utilities in an effort to reduce volatility and the costs to electric and natural gas customers. By way of background, the General Assembly enacted § 314 of Title 26 of the Delaware Code in 2001 to provide an efficient interim rate mechanism to foster investments in needed infrastructure improvements for water utilities, including those mandated by government agencies. With this Act, the same provisions are now extended to public utilities providing electric and/or natural gas services. Doing so will help address concerns with the frequency and volatility of electricity and natural gas distribution rates, as well as the cost to customers of general rate proceedings. The Act requires annual audits and annual reconciliations and empowers Staff for the Public Service Commission and the Delaware Public Advocate to review such expenditures and raise concerns with the Commission should they exist.
Senate Joint Resolution 2	Signed by the Governor	Artificial Island	Urges the Federal Energy Regulatory Commission to accept either alternative cost allocation methodology of the Artificial Island Project as presented by PJM.
House Bill 354	Passed, ready for Governor's action	ADA Compliance	This Act makes the Delaware equal accommodation law internally consistent, correctly organized, and aligned with the Americans with Disabilities Act ("ADA").
House Bill 328	Signed by the Governor	Drones	Makes it a crime to fly an unmanned aircraft system to do any of the following: (1) Harass another person on private property. (2) Invade the privacy of another person on private property. (3) Violate or fail to obey a domestic violence protective order. A violation of a crime created by this Act is punished consistent with

			the existing penalties under § 1334 of Title 11, which are as follows: (1) An unclassified misdemeanor for a first offense. (2) A class B misdemeanor for a second or subsequent offense. (3) A class A misdemeanor if physical injury to a person or damage to property occurs as a result of a violation.
Senate Bill 179	House Ready List	Public Advocate Responsibilities	Clarifies that the Public Advocate may appear before any federal or state court or federal or state administrative body in matters involving public utility rates, service, practices, and energy policy.
Senate Bill 188 with SA 1	House Ready List	Electric Vehicle Charging	Modifies the definition to exempt providers of electric and natural gas vehicle charging service from regulation as a public utility.
Senate Bill 190	Senate Ready List	Low-income Rate	This addition to Section 303 provides the Commission with the flexibility to consider and approve a low income residential utility rate or discount for qualified low-income customers (those approved to participate in the Low Income Home Energy Assistance Program), provided that such rate may not provide a discount over 25% of the average customer class usage. This permits those customers to receive utility distribution services at a lower cost. In the case of Delmarva Power the discount is estimated to be no more than \$10 - 15 per month
Senate Bill 191 with SA 1	Passed, ready for Governor's action	Integrated Resource Planning	The Public Service Commission conducts an annual review of the process by which Delmarva Power obtains electricity to deliver to its customers. With 100% of supply coming from market based auctions, there has been little need to continue the Integrated Resource Plan (IRP) planning process. Under current legislation, Delmarva Power must conduct a complete IRP every two years. This Bill extends the filing time for future IRP's to those occasions when Delmarva Power elects to make a significant change in its source of electric supply or as the Commission may direct.
House Bill 404 with HA 1 and SA2	Passed, ready for Governor's action	Registered Agents	Clarifies that registered agents in Delaware are obligated to comply with requirements, standards, guidelines, rules, regulations, and procedures as issued by the Secretary of State

			on matters involving filings submitted to the Secretary on behalf of corporations, partnerships, limited partnerships, and limited liability companies. Enables the Secretary of State to adopt requirements, standards, guidelines, rules, regulations, and procedures for commercial registered agents regarding verification of customer entities. Clarifies that such requirements, standards, guidelines, rules, regulations, and procedures which the Secretary issues are exempt from Chapter 101, Title 29 of the Delaware Code.
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Revenue & Finance			
Bill No.	Final Result	Subject	Summary / Synopsis
House Bill 102	Stricken	Corporate Franchise Tax	Increases the maximum annual corporation franchise tax in the amount of \$60,000, from \$180,000 to \$240,000.
House Bill 240 with HA 5	Defeated	Personal Income Tax	Updates from \$400 to \$800 the threshold which triggers the penalty for insufficient payment of estimated tax. The current threshold has been in place since 2000. Because it has not been modified in almost 20-years, the penalties generated as a result of this low threshold are often trivial amounts, which frustrate taxpayers. However, despite the penalties' low dollar amounts, they still require significant resources to administer and resolve. Sections 1 and 7 also provide for an inflation adjustment for the threshold ensuring that it will automatically keep pace with future economic trends. Section 2 of this Act increases tax rates in all existing brackets by 0.15 to 0.4 percentage points and creates a new bracket of 6.95% at \$150,000. Section 3 of this Act raises the eligibility age from 60 to 65 in one-year increments over a five-year period for the \$12,500 exclusion from income of pensions and other retirement income. Section 4 of this Act eliminates itemized deductions and increases the standard deduction amount from \$3,250 to \$5,000 for single and married taxpayers filing separately and from \$6,500 to \$10,000 for taxpayers filing joint returns. In addition, Section 4 reduces from \$110 to \$85 the amount of the personal

			credit. Lastly, Section 4 raises the eligibility age from 60 to 65 in one-year increments over a five-year period for the extra, age-based personal credit. Sections 5 and 6 of this Act update cross references.
House Bill 16 with HA1	Signed by the Governor	Estate Tax	Sunsetts the Delaware Estate Tax on December 31, 2017.

Environmental			
Bill No.	Final Result	Subject	Summary / Synopsis
House Bill 190 with HA 1, 3, 4, 5, 6, 7	Signed by Governor	Coastal Zone	This Act, which shall be known as the Coastal Zone Conversion Permit Act, makes changes to the Coastal Zone Act ("CZA"), which has not been significantly updated since its enactment almost a half century ago. The CZA, enacted in 1971, has enabled Delaware to preserve and protect our coastline, one of Delaware's greatest natural resources. However, the CZA has also allowed property that has been in use by heavy industry for nearly 50 years, most suitable for similar industrial uses, to go unused unless the owner is willing to engage in the same heavy industry use or to use the property for manufacturing. This Act establishes a procedure to allow for the responsible, productive reuse of the 14 existing sites of heavy industry use within the coastal zone.
House Bill 273	House Appropriations Committee	Greenhouse Gas Initiative	Directs that the first \$8 million in auction proceeds received from the sale of emission allowances through the regional Greenhouse Gas Initiative and CO2 Emission Trading Program to be directed to the General Fund for the fiscal year 2018. The balance of the funds will be directed to the Secretary of the Department of Natural Resources and Environmental Control to be directed for the public benefit in accordance with the goals and purposes of this initiative.
Senate Concurrent Resolution 40	Laid on Table in Senate	Greenhouse Gas Initiative	Recommending the Joint Finance Committee make designated changes to the state operating budget for Fiscal Year 2018 to provide appropriate funds to finance the FY 2018 Grant-in-Aid bill.

Senate Bill 186	Senate Environmental, Natural Resources & Energy Committee	Regional Greenhouse Gas Initiative	Requires the Secretary of the Department of Natural Resources and Environmental Control to direct 35% of the funds from the auction of the Regional Greenhouse Gas Initiative CO2 allowances to the Sustainable Energy Utility and 30% of the funds to the Water Infrastructure Advisory Council. This Act then requires the Water Infrastructure Advisory Council to develop and recommend projects to the General Assembly that are to be funded by these funds, consistent with § 8011(e) of Title 29. This Act further requires that these funds be expended only as authorized by the annual bond and capital improvement act or other act of the General Assembly.
House Bill 273	House Appropriations Committee	Regional Greenhouse Gas Initiative	Direct the first \$8 million in auction proceeds received from the sale of emission allowances through the regional Greenhouse Gas Initiative and CO2 Emission Trading Program to be directed to the General Fund for the fiscal year 2018. The balance of the funds will be directed to the Secretary of the Department of Natural Resources and Environmental Control to be directed for the public benefit in accordance with the goals and purposes of this initiative.
House Bill 270	House Natural Resources Committee	Clean Water	This Act establishes a framework for assessing needs, planning and implementing projects, and providing a funding source to enhance and accelerate Delaware's efforts in cleaning up its contaminated water resources
Senate Substitute 1 for Senate Bill 135	Senate Health, Children and Social Services Committee	Watershed Enhancement	This Act establishes a framework for assessing needs, planning and implementing projects, and providing a funding source to enhance and accelerate Delaware's efforts in cleaning up its contaminated water resources
House Bill 456 with HA1, 2	Passed, ready for Governor's action	Lead Paint	This Act amends Titles 14, 16, 17, 26, and 29 of the Delaware Code to prohibit the use of lead paints on outdoor structures such as bridges, water towers, playground equipment, highways, parking lots, and utility towers and poles, in order to protect public health from the dangers of such paints. More specifically, Section 1 of this Act substantively amends Title 16 to add a new Chapter 30M setting forth the general prohibition of use of lead paints on outdoor structures after specified

			effective dates. Section 2 of this Act amends Titles 17, 26, and 29 to reference back to the new Title 16 Chapter 30M prohibitions. Section 3 requires the Department of Natural Resources and Environmental Control to develop regulations governing the removal of lead paint from outdoor structures consistent with this Act.
House Bill 460	House Ready List	Budget	This Act is the first leg of a Constitutional Amendment reflecting the recommendations of the Advisory Panel to the Delaware Economic and Financial Advisory Council (DEFAC) on Potential Fiscal Controls and Budget Smoothing Mechanisms established as per House Joint Resolution 8 of the 149th General Assembly (Panel). This Act would build upon the State's existing appropriation limit methodology by moving the Budget Reserve Account into a newly defined Budget Stabilization Fund, defining rules for deposits to and withdrawals from said Budget Stabilization Fund, and adding a check of the appropriation limit against an index comprised of relevant indicators of growth of the State's economy. The Panel further recommended that any final adoption of the structural budget reforms included in this Act be accompanied by statutory enactment of structural reforms to the Personal Income Tax by broadening the tax base as initially recommended by the DEFAC Advisory Council of Revenues report dated May 2015 and further detailed in the Panel's report dated June 1, 2018.

Business			
Bill No.	Final Result	Subject	Summary / Synopsis
House Bill 59	House Sunset Committee	Journeyman Electrician Licensure	Clarifies that all journeyman applicants of sufficient age who successfully complete any apprenticeship program approved by the Board, and successfully pass the final exam associated with the Board approved program, should be treated equally for purpose of licensure. Currently the Board grants a journeyman license only to applicants who

			receive one of a limited number of Department of Labor certificates of completion, despite completing the same program.
House Substitute 1 for House Bill 80	Signed by the Governor	Insurance Rating	Establishes permissible rating factors for insurance companies to use in the rating of automobile insurance and requires the offering of a good driver discount plan for qualified drivers.
House Bill 100	Signed by the Governor	Insurance Coverage for Substance Abuse	The denial by private and public health benefit administrators of adequate coverage for substance abuse treatment has been identified as a major source of failed treatment efforts by persons addicted to controlled substances. These denials have also been identified as a cause of the shortage of adequate treatment facilities in Delaware. This Act seeks to ensure that persons with private and public insurance coverage have the ability to insist that they receive the substance abuse coverage to which they are entitled by law and by their insurance plans. It does so by (1) allowing the Department of Justice to provide legal assistance where appropriate to persons seeking benefits from the state's Medicaid program, traditional health plans, or from employer-funded health benefit plans (which are exempt from state regulation), (2) requiring the state's Medicaid program and private insurance carriers to provide notice to persons who are denied substance abuse treatment of the possibility of legal assistance in challenging those claim denials, and (3) permitting the Department of Justice to use funds in its Consumer Protection Fund to offset the cost of providing medical and legal expertise to DOJ and the Department of Insurance for the purpose of assisting persons with controlled substance addictions who are seeking treatment. This Act contains a sunset provision so that the General Assembly can assess the impact of its provisions on private and public health care costs and effective treatment of substance abuse before making its provisions permanent.
Senate Bill 41 with SA1	Signed by the Governor	Insurance Coverage	In an effort to reduce overdose deaths relating to the growing epidemic of opioid addiction, this Act requires carriers to provide coverage for medically necessary inpatient treatment of

			<p>alcohol and drug dependencies and prohibits carriers from imposing precertification, prior authorization, pre-admission screening, or referral requirements for the diagnosis and treatment, including in-patient treatment, of drug and alcohol dependencies. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.</p>
<p>House Bill 226 with HA 1, 2, 3</p>	<p>Signed by the Governor</p>	<p>Economic Development</p>	<p>The Honorable John C. Carney, Governor of the State of Delaware, issued Executive Order One on January 18, 2017 creating a Working Group of business and government leaders to study methods to improve coordination between the public and private sectors, attract growing businesses and foster economic development throughout the State. The Governor appointed members of the Working Group representing government, business leaders and the community. The Working Group conducted public meetings in the State to receive input from the public on issues related to business development and retention in the changing economy. The Working Group considered research and input from experts in the area of public/private partnerships as well as statutes and data from other states. The Working Group issued a report to the Governor on April 7, 2017 recommending the establishment of a public/private partnership in Delaware to focus on investment attraction, entrepreneurship and innovation, talent development and retention, and research and analysis. Upon consideration of the Working Group report, the General Assembly intends to appropriate funding for the Public/Private Partnership, a nonprofit public/private partnership comprised of leaders in the public, business and the community to build a stronger entrepreneurial environment in the State. The Public/Private Partnership will focus on leveraging private resources to improve business recruitment, retention and expansion, identify and develop a talented workforce, connecting with the global economy and building a stronger entrepreneurial environment.</p>

Senate Bill 10	Defeated	Minimum Wage	Increases the minimum wage required to be paid in this State by 50 cents a year beginning in 2017 and ending in 2020. After 2020, the minimum wage required to be paid in this State increases based on cost-of-living adjustments under the federal Social Security Act. This Act also makes technical corrections to conform to existing law related to the State's deferral to the federal minimum wage to the guidelines of the Delaware Legislative Drafting Manual. In addition, this Act requires that employers pay an increased minimum wage based on cost-of-living adjustments under the federal Social Security Act in any year in which the federal minimum wage does not increase.
Senate Bill 170 with SA 2	Passed, ready for Governor's action	Minimum wage	Increases the minimum wage to be paid in this State beginning in 2018 and ending in 2021.
House Substitute 1 with SA1	Signed by the Governor	Wage and salary information	Builds on the legislation passed by the 148th General Assembly that addressed the wage gap between men and women. When employers ask prospective employees for their wage or salary history, it perpetuates disparities in pay based on gender from one job into another. This Act prohibits employers from inquiring into a prospective employee's compensation history. A prospective employee may voluntarily disclose the information if he or she wishes to do so, and the bill explicitly permits discussion and negotiation of compensation expectations between an employer and prospective employee, so long as the employer does not affirmatively seek compensation history in the course of discussion and negotiation. An employer is permitted to seek and confirm such information after an offer, including compensation, has been negotiated, made, and accepted if the prospective employee authorizes disclosure of that information in writing. The effective date of the bill is delayed by 6 months to allow employers to update their policies.
House Bill 189	Signed by Governor	Broadband Infrastructure Investment	Creates a new Chapter 16 of Title 17 that will accelerate investment in mobile broadband infrastructure and ready the State for the next wave of economic development in the digital economy. In recognition of the shift from

			landline to wireless communications, the Act authorizes wireless providers access to the State's rights of way and establishes a Statewide policy for deployment of small wireless cells to meet the growing demand for wireless services which provide Delaware citizens with access to advanced technology, information and 911 services.
House Substitute 1 for House Bill 180 with HA3 and SA1	Signed by Governor	Computer Security Breaches	Amends Chapter 12B of Title 6 to update Delaware's law regarding computer security breaches by doing the following: 1. Creating a requirement that any person who conducts business in Delaware and maintains personal information must safeguard that information. 2. Updating the definition of breach of security by including the unauthorized access, use, modification, or disclosure of personal information and the information that is included in the definition of personal information. 3. Adding definitions for encryption. 4. Creating a "safe harbor" if the data included in an breach is encrypted or protected by an encryption key that prevents the data from being read or used. 5. Strengthening the consumer protections when a security breach is discovered including requiring that the entity that experienced the breach provide identity theft protection services if Social Security Numbers were included in the information breached. This Act also makes technical corrections to conform to the standards of the Delaware Legislative Drafting Manual, including the use of the term "person" to mean both an individual and an artificial entity.
House Bill 310 with HA1, 2 and SA1	Signed by the Governor	Sustainability	The Certification of Adoption of Sustainability and Transparency Standards Act (the "Act") establishes a voluntary disclosure regime to foster dialogue around sustainability and responsibility among participating Delaware business entities and their various stakeholders.
House Bill 321	House Economic Development Committee	Evergreen Clauses	Requires that consumer contracts which contain automatic renewal provisions, also known as "evergreen clauses", must clearly and conspicuously disclose the terms of the automatic renewal and procedures for cancelling the renewal. In contracts that renew

			after 12 months or more, the provider of goods or services must provide an additional written notice to the consumer no less than 60 and no more than 30 days before the time for cancellation expires, along with information on how to cancel
House Bill 350	House Economic Development Committee	Data Privacy	Creates the Biometric Privacy Protection Act and Geolocation Privacy Protection Act in Title 6 of the Delaware Code to give Delaware's citizens important protections with respect to the collection, storage, use, and disclosure of their unique biometric information (such as fingerprints, voiceprints, and retinal and facial scans) and, with respect to their use of mobile devices, geolocation information that can identify Biometrics are biological and behavioral characteristics, such as fingerprints, voiceprints, and retinal and facial scans, that uniquely identify a person, and they are increasingly being collected from Delaware's citizens and used for a variety of purposes, including marketing, employment, and security
House Substitute 1 for House Bill 360 with HA2	Passed, ready for Governor's action	Sexual harassment training	The bill defines sexual harassment and makes employers responsible for the sexual harassment of an employee by a supervisor or by another employee when the employer knew or should have known about it and failed to take appropriate corrective action. Prevents an employer from retaliating against an employee for filing a discrimination charge. Includes a requirement that the Department of Labor create an information sheet pertaining to sexual harassment that employers must distribute to employees. Employers having more than 50 or more employees in Delaware will be required to provide sexual harassment training to all employees and supervisory employees which must be conducted every 2 years.
House Bill 409 with HA2	Passed, ready for Governor's action	Layoff Notifications	Creates a state mass layoff and plant closing notice requirement law that requires certain larger employers to provide their employees with adequate notice when they plan to go out of business, close a plant, or lay off a large number of employees. Requires employers to also notify the Department of planned mass layoffs and plant closings, so the Department can provide dislocated workers with services to

			<p>assist them in returning to work as soon as possible. This Act imposes greater notice requirements on employers than the federal Worker Adjustment and Retraining Notification Act ("WARN Act"). This Act authorizes the Department of Labor to investigate violations, conduct administrative hearings for employers who are alleged to have violated this Act, and pursue penalties for failure of an employer to comply with the notice requirements to its employees.</p>
<p>House Bill 457 with HA1</p>	<p>Signed by the Governor</p>	<p>Electrician's License</p>	<p>Provides for a residential electrician license. A residential electrician license allows for a person to conduct residential electrical work without having to be under the direct onsite supervision of a licensed master electrician, master electrician special, limited electrician, limited electrician special or journeyman electrician. Electricians with a residential electrician license are permitted to perform electric work performed on or within a residential dwelling or building prior to the dwelling or building being connected to the electric grid, or work to or beyond the breaker panel or fuse box in a residential dwelling or building, or residential low voltage electric work.</p>