

CHAPTER 199  
FORMERLY  
SENATE BILL NO. 164

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING  
TO PROFESSIONS AND OCCUPATIONS.

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

Section 1. Amend §107, Title 24, Delaware Code by inserting into paragraph (a)(1) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 2. Amend §206, Title 24, by inserting into paragraph (a)(3) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 3. Amend §307, Title 24, Delaware Code by inserting into paragraph (c)(1) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, the Board, by an affirmative vote”.

Section 4. Amend §508, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 5. Amend §707, Title 24, Delaware Code by inserting into paragraph (a)(5) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 6. Amend §707(a)(5), Title 24, Delaware Code by deleting within the paragraph the words “relate” after the word “substantially” and replacing it with the word “related.”

Section 7. Amend §1122, Title 24, Delaware Code by inserting into paragraph (c)(4) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 8. Amend §1126(b), Title 24, Delaware Code by striking the word “felony” and substituting in lieu thereof the words “a crime substantially related to the practice of dentistry or dental hygiene unless a waiver is granted pursuant to §1122 (a)(3).”.

Section 9. Amend §1408, Title 24, Delaware Code by inserting into paragraph (a)(8) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 10. Amend §1808(a)(3), Title 24, Delaware Code by striking the semi-colon “;” after the word “licensure” and replacing it with a period “.” and striking the remaining language in the paragraph in its entirety.

Section 11. Amend §1808, Title 24, by adding the following language at the end of paragraph (a)(5) after the period: “However, after a hearing or review of documentation that the applicant meets the specified criteria for a waiver, the Board, by an affirmative vote of a majority of the quorum, may waive §1808(a)(5) of Title 24 herein if it finds all of the following:

“a. More than 5 years have elapsed since the applicant has fully discharged all imposed sentences. As used herein, the term ‘sentence’ includes, but is not limited to, all periods of modification of a sentence, probation, parole or suspension. However, sentence does not include fines, restitution or community service, as long as the applicant is in substantial compliance with such fines, restitution and community service.

b. The applicant is capable of practicing plumbing services in a competent and professional manner.

c. The granting of the waiver will not endanger the public health, safety or welfare.”

Section 12. Amend §1808(b), Title 24, by striking the reference to paragraph “(6)” and substituting in lieu thereof “(5)”.

Section 13. Amend 1821, Title 24, by adding the following language at the end of paragraph (a)(7) after the period:

“However, after a hearing or review of documentation that the applicant meets the specified criteria for a waiver, the Board, by an affirmative vote of a majority of the quorum, may waive §1821(a)(7) of Title 24 herein if it finds all of the following:

a. More than 5 years have elapsed since the applicant has fully discharged all imposed sentences. As used herein, the term ‘sentence’ includes, but is not limited to, all periods of modification of a sentence, probation, parole or suspension. However, sentence does not include fines, restitution or community service, as long as the applicant is in substantial compliance with such fines, restitution and community service.

b. The applicant is capable of practicing plumbing services in a competent and professional manner.

c. The granting of the waiver will not endanger the public health, safety or welfare.”

Section 14. Amend §1910(5), Title 24, Delaware Code by inserting into subsection (5) the following language: “or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 15. Amend §1914(5), Title 24, Delaware Code by inserting into subsection (5) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase “the Board, by an affirmative vote”.

Section 16. Amend §2008, Title 24, Delaware Code by inserting into paragraph (a) (6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 17. Amend §2113, Title 24, Delaware Code by inserting into paragraph (a)(8) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver,” after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 18. Amend §2508 of Title 24, Delaware Code by inserting into paragraph (c)(3) the following:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 19. Amend §2606, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote.”

Section 20. Amend §2708, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 21. Amend §2907, Title 24, Delaware Code by inserting into paragraph (a)(4) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote.”

Section 22. Amend §2907, Title 24, Delaware Code by deleting the word “Board” in paragraph (a)(4) and replacing it with “Commission”.

Section 23. Amend §3032, Title 24, Delaware Code by inserting into paragraph (a)(5) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase “the Board, by an affirmative vote”.

Section 24. Amend §3044, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver” after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 25. Amend §3052, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 26. Amend §3107, Title 24, Delaware Code by inserting into paragraph (a)(7) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 27. Amend §3313, Title 24, Delaware Code by inserting into paragraph (a)(5) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 28. Amend §3319, Title 24, Delaware Code by adding the following language at the end of paragraph (a)(4) after the semicolon:

“however, after a hearing or review of documentation demonstrating that the applicant meets the specified criteria for a waiver, the Board, by an affirmative vote of a majority of the quorum may waive §3319(a)(4) of Title 24 herein, if it finds all of the following:

- a. More than 5 years have elapsed since the applicant has fully discharged all imposed sentences. As used herein, the term ‘sentence’ does not include fines, restitution or community service, as long as the applicant is in substantial compliance with such fines, restitution and community service.
- b. The applicant is capable of practicing as a veterinary technician in a competent and professional manner
- c. The granting of the waiver will not endanger the public health, safety or welfare.”

Section 29. Amend §3514, Title 24, Delaware Code by inserting in paragraph (a)(2) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 30. Amend §3608, Title 24, Delaware Code by inserting in paragraph (a)(6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 31. Amend §3708, Title 24, Delaware Code by inserting in paragraph (b)(4) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 32. Amend §3806, Title 24, Delaware Code by inserting into paragraph (c)(2) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 33. Amend §3915, Title 24, Delaware Code by inserting into paragraph (a)(4) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 34. Amend §4008, Title 24, Delaware Code by inserting into paragraph (a)(4) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, the Council, by an affirmative vote”.

Section 35. Amend §4009, Title 24, Delaware Code by inserting into paragraph (a)(4) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Council, by an affirmative vote”.

Section 36. Amend § 4431, Title 24, Delaware Code by inserting into paragraphs (a)(10) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, the Board, by an affirmative vote”.

Section 37. Amend §5107, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 38. Amend §5136(5), Title 24, Delaware Code by inserting into subsection (5) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 39. Amend §5209, Title 24, Delaware Code by inserting into paragraph (a)(6) the following language,

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Section 40. Amend §5313, Title 24, Delaware Code by inserting into paragraph (a)(2) the following language:

“or review of documentation demonstrating that the applicant meets the specified criteria for a waiver”, after the word “hearing” and before the phrase, “the Board, by an affirmative vote”.

Approved August 18, 2009