

CHAPTER 122
FORMERLY
SENATE BILL NO. 114

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING
TO JURISDICTION OF THE FAMILY COURT.

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

Section 1. Amend §925, Title 10 of the Delaware Code by adding a new subsection (20) to read as follows:

“(20) In a civil proceeding involving the welfare of a minor child or the safety of a party, require any party or any other resident of the party’s household or other person with regular direct access to the child, to submit to a state and federal background check.

(a) The background check shall consist of:

1. Report of the individual’s entire criminal history record from the Delaware State Police or a statement from the Delaware State Police that the State Police Central Repository contains no such information relating to that person.
2. A report of the individual’s entire federal criminal history record pursuant to the Federal Bureau of Investigation appropriation of Title II of Public Law 92-544. The Division of State Police shall be the intermediary for the purposes of this paragraph.
3. A certification from the Department of Services for Children, Youth and Their Families as to whether the individual is named in the Central Register as the perpetrator of a report of child abuse.

(b) Costs associated with obtaining said criminal history information and child abuse registry information shall be borne by the State.

(c) The court at any stage in the proceeding may take judicial notice of any report, record or certification described in this subsection.”

Approved July 08, 2009