SPONSOR: Sen. Poore & Rep. Heffernan
Sens. Brown, Buckson, Cruce, Hansen, Hocker, Hoffner, Huxtable, Lawson, Lockman, Mantzavinos, Paradee, Pettyjohn, Pinkney, Richardson, Seigfried, Sokola, Sturgeon, Townsend, Walsh, Wilson; Reps. Berry, Carson, Lambert, Neal, Ross Levin, Snyder-Hall, Wilson-Anton

DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

SENATE BILL NO. 198

AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS

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

Section 1. Amend § 4504, Title 6 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 4504. Unlawful practices.

(e) Nothing in this section may be interpreted as an abrogation of any requirements otherwise imposed by applicable federal or state laws or regulations.

(1) If federal or state law provide additional rights to members of a protected class or requirements for a place of public accommodation, this section must be interpreted as providing that right or requirement.

(2) Discrimination prohibited under this chapter shall continue to include those acts prohibited on the basis of disability by 29 U.S.C. § 794, and any implementing regulations, as those regulations were in effect as January 1, 2025.

(3) The provisions of this section shall be interpreted broadly and to the fullest extent possible under state and federal law, in order to continue the protections afforded persons with disabilities under this chapter and throughout the general laws of the state.

(4) Whenever the term "section 504 of the Rehabilitation Act" or “section 504” appears outside of this section, in Delaware Statutes or regulations, when used in the context of the Rehabilitation Act of 1973, 29 U.S.C. § 794, that term will be interpreted to mean the Delaware Equal Accommodations Law, 6 Del. C. § 4500 et seq.

SYNOPSIS

This Act amends the Delaware Equal Accommodations Law to adopt the protections of the federal Rehabilitation Act of 1973’s Section 504 (“Section 504”), and its implementing regulations as those regulations existed on January 1, 2025. This bill will help ensure that Delawareans with disabilities get broad and full protection within Delaware. The bill also adds that references to Section 504 in other parts of Delaware law or regulation will be considered a reference to the Delaware Equal Accommodations Law.

Author: Senator Poore