



SPONSOR: Rep. Carson & Rep. Bush & Sen. Ennis & Sen. Lawson
Reps. Cooke, Mitchell, Morris, Spiegelman; Sens. Brown,
Delcollo, Hocker, Lopez, Paradee, Pettyjohn, Townsend,
Wilson

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 113

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL AID AGREEMENTS.

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

1 Section 1. Amend § 1944, Title 11 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 1944 Mutual assistance.

4 ~~(a)~~ The police agency of a jurisdiction may in its discretion enter into agreements to provide mutual assistance for
5 such periods as it deems advisable with any other jurisdiction within or without the State, including the District of
6 Columbia, ~~in order to establish and carry into effect a plan to provide mutual assistance through the furnishing of police and~~
7 ~~all necessary equipment in the event of an emergency.~~ Such agreements must set forth the rights and obligations of the
8 parties with respect to the mutual assistance contemplated under the agreement.

9 ~~(b) No police agency of a jurisdiction shall provide mutual assistance unless the assisting party shall:~~

10 ~~(1) Indemnify the requesting agency for any and all claims which may arise out of authorized activities of the~~
11 ~~other parties outside their respective jurisdiction.~~

12 ~~(2) Indemnify the requesting agency from all claims by third parties of the property damage or personal~~
13 ~~injury which may arise out of authorized activities of the other parties while acting outside their respective jurisdiction.~~

SYNOPSIS

This bill clarifies that Delaware law enforcement may enter into agreements to provide mutual assistance to other jurisdictions.