



SPONSOR: Rep. Capano
& Sen. Blevins

HOUSE OF REPRESENTATIVES

140th GENERAL ASSEMBLY

HOUSE BILL NO.

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS.

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

1 Section 1. Amend § 1448(a)(4) by striking the word “or” as it appears therein as the last word of
2 paragraph (4).

3 Section 2. Amend § 1448(a), Title 11 of the Delaware Code, by adding thereto two new
4 paragraphs to read:

5 “(6) Any person who is subject to a Family Court Protection from Abuse order, but only for so
6 long as that order remains in effect; or

7 (7) Any person who has been convicted in any court of any misdemeanor crime of domestic
8 violence. For purposes of this paragraph, the term ‘misdemeanor crime of domestic violence’ means any
9 misdemeanor offense against a person as defined in Subchapter II of Title 11 of the Delaware Code, or
10 any similar offense when committed or prosecuted in another jurisdiction, and the offense was committed
11 by a member of the victim’s family, as ‘family’ is defined in § 901(9) of Title 10 of the Delaware Code,
12 regardless, however, of the state of residence of the parties; by a former spouse of the victim; by a person
13 who co-habitated with the victim at the time of the offense; or by a person with a child in common with
14 the victim.”

SYNOPSIS

This bill makes it illegal for certain perpetrators of domestic violence to purchase or possess firearms. Specifically, individuals with a Family Court Protection from Abuse order would be "persons prohibited" for the duration of the order. Also, individuals who have been convicted of a limited category of domestic violence misdemeanors or offenses against a person -- would be "persons prohibited" for five years from the date of conviction.