



SPONSOR: Rep. Lavelle & Rep. Oberle & Rep. Valihura & Rep. Stone & Rep. M Marshall & Sen. Bunting & Sen. Copeland & Sen. Bonini & Sen. Cloutier ;
Reps. Spence, Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Maier, Manolakos, Miro, Outten, D. Short, Thornburg, Wagner, Gilligan, Brady, Hall-Long, Longhurst, McWilliams, Mitchell, Schooley, Schwartzkopf

HOUSE OF REPRESENTATIVES
144th GENERAL ASSEMBLY

HOUSE BILL NO. 242

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADINGS AND PRACTICE.

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

1 Section 1. Amend § 8145 of Title 10 of the Delaware Code by inserting as a new subsection (d) the following:
2 “(d) Any law of this State to the contrary notwithstanding, this section shall apply to the State and political
3 subdivisions of the State, including school districts, and to any public officer or employee of the State or of a political
4 subdivision of the State, including school districts. In a civil action brought to recover damages based on childhood sexual
5 abuse, neither the State, nor any political subdivision of the State, including school districts, shall be entitled to the
6 privileges and immunities provided in Chapter 40 of this Title, nor sovereign immunity under Article I, § 9 of the 1897
7 Constitution of Delaware as amended.”.

SYNOPSIS

This Bill ensures that sovereign immunity is waived as to the State and its political subdivisions, including school districts for sexual abuse of a minor by an adult case.