



## 2025 Legislative Wrap-Up

### Voting Rights

There are four constitutional amendments in the legislature this year that expand voter accessibility to the ballot box.

SB2 would put early voting into the Constitution. SB3 permits absentee voting without an excuse. Both bills passed the Senate and made it out of House Committees but did not make it to the House floor. One Republican vote is needed for the 2/3 majority **assuming** Rep. Stell Parker Selby (absent from the legislature due to a stroke) returned to vote in favor. She did not return and subsequently resigned. A special election is in process, to be held August 5.

HB88 authorizes the Legislature to prescribe rules for voter registration. A statute permitting same day registration passed two years ago but was ruled unconstitutional. HB88 was voted out of the House Administration Committee And did not make it to the House floor.

HB65 changes the primary day from September to the fourth Tuesday in April, when the presidential primary is held. There are pros and cons to support this, but the committee voted to support it and signed on to an ACLU letter of support. It passed the House and is in the Senate Elections & Governmental Affairs Committee. It did not make it to the Senate floor.

HB180 removes felony disenfranchisement from the Constitution and cleans up outdated language such as literacy and durational residency requirements. This bill passed out of the House Administration Committee. It did not make it to the House floor..

### Immigration/Education

HB93, 94, 95 would restrict school districts' ability to cooperate with immigration officials or to use school constables or SRO's to enforce



# **WOMEN'S MARCH**

## **SUSSEX – DELAWARE**

immigration laws against students and would restrict disclosure of student records to immigration authorities without the consent of the Attorney General. The committee voted to support these bills. HB95 (student records) was voted out of the House Education Committee. All bills were voted out of committee in the House. None made it to the House floor for a vote.

We put out a call to action to contact the respective committees and to attend either virtually or in person. The bill was voted out of the House Public Safety and Homeland Security Committee.

HB182, banning cooperation agreements between municipalities and federal immigration authorities, passed and was signed into law.

### **Reproductive Rights**

SB5 is a constitutional amendment guaranteeing reproductive freedom in Delaware. It passed the Senate and is in the House Administration Committee. It did not make it out of committee.

HB14 is a constitutional amendment guaranteeing the right of privacy in Delaware. It passed the House Administration Committee; it was not assigned to a committee in the Senate.

HB100 is a constitutional amendment establishing that the right to marry is a fundamental right and that Delaware and its political subdivisions shall recognize marriages and issue marriage licenses to couples regardless of gender. It did not make it out of the House committee.

### **Criminal Justice**

SB7 obligating the court, DOC and the probation officer to tailor special conditions to the criminogenic needs of the probationer, passed and was signed into law. SB8, codifying standard conditions and eliminating such conditions as automatic substance abuse testing and treatment, curfews, and permission to marry, did not make it to the Senate floor when it became apparent that law enforcement would not support it.



HB133 permitting a judge to waive fines and fees at sentencing and conviction if the defendant qualifies for a hardship waiver appeared to have support and passed of committee in the House. The sponsor unexpectedly withdrew it from a floor vote when it became apparent it did not have the support the sponsor thought it had.. HB132 eliminating certain fees such as a court security fee, videophone fee and fines for seat belt and child seat violations, which paid for court bailiffs, courts' zoom, and notification fees, and calls for paying for these out of the general budget, did not make it to the House floor.

HB145, which dropped on June 5, did not make it out of the House Judiciary Committee. The bill is an important one, concerning **reverse warrants**. It aims to prevent the government from conducting general searches of personal information through reverse-location and reverse-keyword court orders, which can infringe on individual privacy rights. Reverse-location court orders and reverse keyword court orders enable the government to obtain location data or technology search data without identifying any specific person as to which there is probable cause to believe they have committed or will imminently commit a crime. The profusion of electronic devices and apps in recent years has allowed recordation of numerous details of citizen's everyday lives, that the government should not be permitted to collect and review at will. The committee has not had a chance to review this bill, but will likely support it.

SB10, permitting compassionate release of an ill inmate, passed and is waiting for the Governor's signature.

HB35, the constitutional amendment banning the death penalty, passed the House and Senate. This is the first leg of the constitutional amendment process. It must pass again next year for the amendment to become effective.