

LAWS OF DELAWARE
VOLUME 83
CHAPTER 427
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 359

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF WITNESSES AND CRIME VICTIMS.

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

Section 1. Amend Chapter 96, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underlining as follows and redesignating accordingly:

§ 9611. Definitions. ---When used in this subchapter, the following words and phrases shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

(12) “Victim of human trafficking” means a victim of an offense set forth in § 787 of this title, or any equivalent provision in the laws of any other state, the United States, or any territory, District or subdivision thereof, or any other foreign jurisdiction. This definition is to include victims of both “labor” and “sex” trafficking.

§ 9613. Persons eligible to apply.

~~The~~ All of the following persons ~~shall be~~ are eligible to apply to become program participants:

(1) A victim of domestic violence, sexual assault, human trafficking, or stalking who has filed for a protection from abuse order or who is or was named as a victim in any criminal or delinquency proceeding brought for the purpose of determining liability for the commission of any crime or offense as those terms are defined in § 233 of this title, and who further states that he or she fears future violent acts by the perpetrator of the ~~abuse; or abuse.~~

(2) A person who has a valid agreement with the Department of Justice as set out in § 9601(f) of this ~~title; or title.~~

(3) A person who is a member of the same household as a program participant. A parent or guardian may apply to the program on behalf of a minor; or in the case of an adult individual who is incapacitated, application may be made by the person holding power of ~~attorney; attorney.~~

(4) A person who has obtained or is seeking relief from a domestic violence program or service, as certified by the director of that program or his or her designee.

Approved September 9, 2022