



SPONSOR: Rep. Barbieri & Sen. Henry  
Reps. J. Johnson, Scott

HOUSE OF REPRESENTATIVES  
147th GENERAL ASSEMBLY

HOUSE BILL NO. 80

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES.

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

1           Section 1. Amend § 4121(u), Title 11 of the Delaware Code by making insertions as shown by underlining as  
2 follows:

3           (u) Notwithstanding any provision of this section or title to the contrary, any Tier III sex offender being monitored  
4 at Level IV, III, II or I, shall as a condition of their probation, wear a GPS locator ankle bracelet paid for by the probationer.  
5 The obligation to pay for the GPS locator ankle bracelet shall not apply to any juvenile who is adjudicated delinquent and  
6 designated a Tier III sex offender pursuant to this Title.

7           Section 2. All outstanding balances due from juveniles pursuant to §4121(u), Title 11 of the Delaware Code on the  
8 effective date of this Act shall be forgiven on that date.

9           Section 3. This Act shall take effect on August 1, 2013.

SYNOPSIS

This bill removes the requirement that a Tier III youth offender pay for the cost of their electronic monitoring system. Currently youth adjudicated as Tier III sex offenders have the same financial obligation of \$240 per month (\$8 per day) as adult offenders. However, they rarely have opportunities for employment given their age and other obstacles related to their probation, and/or need to complete school. The Division of Youth Rehabilitative Services is spending a disproportionate amount of time and staff resources to track and attempt to recover payment from these offenders with little success. Additionally, no other juvenile probation "service" requires youth or their families to pay for their treatment and support interventions.