

HB 190 -- Redline

HA 1 to HB 190 to Bill Text -- AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO GRANTS-IN-AID.

Deletions ~~struck~~ · Insertions underlined

Minor-Brown ~~HOUSE OF Sen. REPRESENTATIVES 153rd GENERAL ASSEMBLY HOUSE AMENDMENT NO.~~
~~1Sokola TO& HOUSESen. BILL NO.~~
~~100Buckson AMEND& HouseRep. Bill No.~~
~~100Harris on& lineRep. 16 by deleting "and " after "agencies" and before "satisfy" therein and inserting in lieu thereof "or ".~~
~~FURTHEROsienki AMEND& HouseRep. Bill No.~~
~~100Spiegelman by& deletingRep. line 27 in its entirety and redesignating accordingly.~~
~~SYNOPSISK. This amendment clarifies that an organization may be eligible for a grant-in-aid if it offers programs that are unduplicated by other state-supported agencies or satisfy unmet needs in the community.~~
~~ItWilliams also& removesSen. the restriction that would prohibit a grant-in-aid to support child daycare.~~
Townsend & Sen.
Pettyjohn & Sen.
Hocker & Rep.
Dukes & Sen.
Lockman & Rep.
Michael Smith Reps.
Gray, K.
Johnson, Morrison, Yearick, Bolden, Gorman, Chukwuocha, Shupe, Romer;
Sens.
Cruce, Hoffner, Wilson HOUSE OF REPRESENTATIVES 153rd GENERAL ASSEMBLY HOUSE BILL NO.
190 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO GRANTS-IN-AID.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:
Section 1.
Amend Chapter 63, Title 29 of the Delaware Code by transferring Sec. 6341 to a new subchapter IIIC and then making deletions as shown by strike through and insertions as shown by underline as follows:
Subchapter III-C.
Grants-in-Aid Sec. 6341.
Sec. 6351.
Grants-in-aid.
(a) No appropriation for a grant-in-aid shall be made otherwise than pursuant to an act by the General Assembly, passed with the concurrence of 3/4 of all the members elected to each House.
(b) To be eligible for a grant-in-aid, an organization must meet all of the following:
(1) Be one of the following:
a.
An incorporated non-profit with IRS recognizable exempt status or operate under the umbrella of a parent organization that is an incorporated non-profit with IRS recognizable exempt status.
b.
A state, county, or local government organization.
(2) Be in operation for at least 2 years prior to applying for a grant-in-aid.
(3) If the organization falls under paragraph (b)(1)a.
of this section, it must have an active, community- represented, volunteer Board of Directors that sets policies, goals, and objectives, and maintains minutes of regularly scheduled meetings and any special meetings.
(4) Offer programs that are unduplicated by other state-supported agencies and satisfy unmet needs in the community.
(5) Have accounting and budget procedures.
(6) Have an audit or a review or compilation of financial statements completed within the past 3 years by a certified public accountant or a public accountant.
If the organization cannot comply with this requirement, it must HD :

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05/15/2025 12:27 PM provide a statement of the circumstances surrounding the reason it cannot comply and must submit any available supporting financial documentation such as profit and loss statements, relevant budget materials, IRS Form 990s, and bank statements.

(7) Have demonstrated ability to fund at least half of its operations through sources of revenue other than a grant-in-aid.

(c) Grant-in-aid funding may not be used for any of the following:

(1) Providing child daycare.

(2) The purchase of capital equipment.

(3) The relocation, rehabilitation, renovation, or purchase of buildings.

(4) The payment of any part of an elected official's salary or benefits.

(5) A political campaign or for partisan political purposes.

(6) The hiring of lobbyists or other lobbying services.

(7) Activities, programs, or services that benefit individuals who do not reside in Delaware.

(d) The Grant-in-Aid Subcommittee may recommend and apply additional criteria for grant-in-aid applications.

Sec. 6352.

Grant-in-Aid Subcommittee.

(a) The General Assembly shall operate a joint subcommittee (Grant-in-Aid Subcommittee) for the purposes of strengthening and improving the grant-in-aid application and grant review process.

The Office of the Controller General shall provide staff support to the Grant-in-Aid Subcommittee.

(b) The Grant-in-Aid Subcommittee is composed of 3 members of the Senate appointed by the President Pro Tempore and 3 members of the House of Representatives appointed by the Speaker of the House.

(1) Not more than 2 appointees from each chamber may belong to the same political party.

(2) The subcommittee chair and vice chair shall alternate each year between a Representative appointed by the Speaker of the House of Representatives and a Senator appointed by the President Pro Tempore of the Senate.

During odd-numbered years, a Senator serves as chair and a Representative serves as vice chair;

during even-numbered years, a Representative serves as chair and a Senator serves as vice chair.

(3) Members of the Grant-in-Aid Subcommittee may not also be members of the Joint Finance Committee.

(b) The Grant-in-Aid Subcommittee shall annually review and analyze the applications of grant-in-aid applicants who have not previously received funding through grant-in-aid and make recommendations to the Joint Finance Committee regarding which applications to approve and at what funding level.

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~~05/22/2025~~05/15/2025 11:12~~12:27 AM~~PM 0281530088(c) The Grant-In-Aid Subcommittee may annually review any current grant-in-aid recipient for program efficacy and compliance with the conditions of prior grants and general grant-in-aid eligibility requirements.

(d) The Grant-in-Aid Subcommittee may require additional information or documentation from grant-in-aid applicants as it deems necessary or hold public hearings and invite a representative of any grant-in-aid applicant or recipient to appear and answer questions from the subcommittee.

(e) The Grant-in-Aid Subcommittee shall provide a final report and recommendations to the Joint Finance Committee each year by the third Monday of May.

(f) The Chair, the Vice Chair, and Members of the Grant-In-Aid Subcommittee shall be compensated at the rate of the Joint Legislative Oversight and Sunset Committee for their service on the Subcommittee.

Section 2.

This Act shall take effect on January 1 following its enactment into law.

Section 3.

By February 1, following enactment of this Act, the Chair and Vice Chair of the Grant-in-Aid Subcommittee shall, in collaboration with the Controller General, develop rules and procedures to guide the Subcommittee's review and development of recommendations.

SYNOPSIS This Act creates a new Grant-in-Aid Subcommittee ("Subcommittee") of the Joint Finance Committee and codifies requirements and procedures for organizations seeking a grant-in-aid from the General Assembly.

The Subcommittee will be composed of 3 members of the Senate and 3 members of the House, with the Chair alternating between the chambers each year.

The Subcommittee will annually review and analyze the applications of grant-in-aid applicants who have not previously received funding through grant-in-aid and make recommendations to the Joint Finance Committee regarding which applications to approve and at what funding level.

The Subcommittee may also review any current grant-in-aid recipient for program efficacy and compliance with the conditions of prior grants and general grant-in- aid eligibility requirements.
This Act takes effect January 1 following its enactment into law.

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