



Delaware House of Representatives House Majority Caucus

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BILLS AIDING ELDERLY DELAWAREANS PASS HOUSE

Legislation increases penalties, protects manufactured home residents' rights to gather

DOVER – Shortly after declaring Wednesday “Elder Abuse Awareness Day” in Delaware via resolution, the House passed bills that would create enhanced penalties for those who commit crimes against a vulnerable or infirm adult and would ensure that manufactured home community residents have access to amenities in the neighborhood.

Sponsored by House Majority Whip Rep. Valerie J. Longhurst, House Substitute 1 for House Bill 348 would increase the penalties for about 50 offenses if those crimes are committed against someone determined to be a vulnerable or infirm adult. In most cases, the charges would be increased by one class, such as a class A misdemeanor becoming a class G felony, a class G felony becoming a class F felony, and so on. Class A and B felonies would remain the same grade, but the minimum sentence of imprisonment required by law for the offense would be doubled.

“People who have physical or mental limitations or disabilities face a much greater risk of someone taking advantage of them,” said Rep. Longhurst, D-Bear. “No one should have to live in fear of being targeted because of their personal situation. Those who commit these crimes are just preying on the vulnerable, and they should face tougher punishment.

“It’s my hope that these new penalties serve as a warning to people that we aren’t going to tolerate this and that the enhanced penalties protect our vulnerable and elderly populations.”

HS 1 for HB 348 creates a new criminal offense, crime against the vulnerable or infirm, which imposes enhanced penalties for offenses including reckless endangering, assault, abuse of a pregnant female, terroristic threatening, unlawful sexual contact, fraud, rape, robbery, burglary, identity theft and forgery.

Rep. Longhurst thanked Susan Del Pesco, director the state Division of Long Term Care Residents Protection, who helped craft the legislation. The bill passed 40-1 and heads to the Senate for consideration.

Rep. Longhurst also sponsored House Bill 392, which would require a manufactured home community landlord to make a community center available to a tenants' association or a group of tenants to use to hold meetings addressing matters affecting or relating to the tenants' rights.

The legislation, she said, was prompted after she learned of manufactured home communities that were forbidding tenants' groups from using community centers that the residents' rent was paying to maintain.

"It's unfortunate that legislation like this is necessary, but residents who are paying for certain amenities should have access to them," Rep. Longhurst said. "Many of the residents of manufactured home communities are older, so this bill helps elderly Delawareans gather to meet and discuss issues affecting them."

HB 392 now moves to the Senate for consideration.

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