



SPONSOR: Rep. J. Johnson & Sen. Ennis
Reps. Baumbach, Keeley, Kowalko, Mulrooney, M.
Smith; Sens. Peterson, Townsend

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 115

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO NAME CHANGES FOR
INDIVIDUALS SUBJECT TO THE SUPERVISION OF THE DELAWARE DEPARTMENT OF CORRECTION.

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

1 Section 1. Amend § 5901, Title 10 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 5901. Petition for change of name.

4 (c) The common law right of any person to change his or her name is hereby abrogated as to individuals subject to
5 the supervision of the State of Delaware Department of Correction. Such individuals may only effect a name change by
6 petitioning the Court of Common Pleas as follows:

7 (2) When, based upon testimony or sworn affidavits, the court finds that a petition for a name change of an
8 individual subject to the supervision of the Department of Correction is motivated by a sincerely held religious belief
9 or gender identity, the court may grant such petition. In any case in which an individual subject to the supervision of
10 the Department of Correction petitions the Court of Common Pleas for a change of name, the Court shall provide
11 notice and opportunity to oppose the name change to the Department of Correction and shall permit it to submit any
12 appropriate documentation in support of its opposition.

SYNOPSIS

This Act permits individuals subject to the supervision of the Delaware Department of Correction to effect a name change based on a sincerely held gender-related identity.