

CHAPTER 106
FORMERLY
HOUSE BILL NO. 153

AN ACT TO AMEND TITLES 7 AND 23 OF THE DELAWARE CODE RELATING TO INFORMATION PROVIDED TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

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

Section 1. Amend § 503, Title 7 of the Delaware Code as follows:

§ 503. Application for resident's license; proof of residence; use of license information.

(a) Each applicant for a resident's license shall present reasonable proof to the Department or its duly authorized agent that the applicant is a bona fide resident of this State. The Social Security number of the applicant shall be included on the application for any resident's license. The information contained within hunting, fishing, and trapping licenses and related databases may not be made available to the public. Government agencies may use license information for law enforcement purposes involving fish and wildlife investigations, for research purposes involving hunting, trapping, or fishing harvest surveys conducted by Department scientists, excluding Social Security information, or as otherwise authorized by law.

(b) The Department may use or provide a contractor with license information, excluding Social Security information, for the following limited purposes:

- (1) Retaining or recruiting hunters, trappers, and anglers.
- (2) Sustaining and increasing associated license sales.

(c) Any contractor selected by the Department pursuant to subsection (b) of this section shall be subject to a confidentiality agreement that prevents the contractor from releasing, transferring, or using license information for any other purposes.

Section 2. Amend § 506, Title 7 of the Delaware Code as follows:

§ 506. License requirements for nonresidents; use of license information.

(a) Every nonresident, except as otherwise provided in this chapter, shall obtain a general license before hunting, trapping, fishing, clamming, or crabbing in this State. Every nonresident required to obtain a hunting license who was born after January 1, 1967, shall have satisfactorily completed not less than 10 hours of instruction, which includes the safe and proficient use of hunting equipment, hunter responsibility, principles of wildlife management, wildlife identification, and, to the degree practical, a live firing experience before such person makes application for a hunting license. This instruction is to be provided by personnel of the Department or its authorized agents. Proof of completion of authorized hunter education courses of other states or Canadian provinces shall be accepted and deemed having met the instruction requirement.

(c) The Social Security number of the applicant shall be included on the application for any nonresident's license. The information contained within hunting, fishing, and trapping licenses and related databases may not be made available to the public. Government agencies may use license information for law enforcement purposes involving fish and wildlife investigations, for research purposes involving hunting, trapping, or fishing harvest surveys conducted by Department scientists, excluding Social Security information, or as otherwise authorized by law.

(d) The Department may use or provide a contractor with license information, excluding Social Security information, for the following limited purposes:

- (1) Retaining or recruiting hunters, trappers, and anglers.
- (2) Sustaining and increasing associated license sales.

(e) Any contractor selected by the Department pursuant to subsection (d) of this section shall be subject to a confidentiality agreement that prevents the contractor from releasing, transferring, or using license information for any other purposes.

Section 3. Amend § 2117, Title 23 of the Delaware Code as follows:

§ 2117. Release and use of information.

(d) Any federal agency or agency of Delaware state government may request information from the Department concerning the registration of a vessel. After the Department receives such a request and the Department is satisfied that such a request is reasonable and related to a boating safety, law enforcement or fishery management purpose, the Department may release information concerning the registration of a vessel. In each case where said information is released, the Department may seek reimbursement from the agency requesting the information for all costs incurred by the Department in connection with the gathering and transmitting of the information to the requesting agency.

(e) The Department may use or provide a contractor with vessel registration information for the following limited purposes:

- (1) Retaining or recruiting boaters.
- (2) Sustaining and increasing associated registration sales.

(f) Any contractor selected by the Department pursuant to subsection (e) of this section shall be subject to a confidentiality agreement that prevents the contractor from releasing, transferring, or using registration information for any other purposes.

Approved July 15, 2015